



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

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21 जुलाई, 2001/30 आषाढ़, 1923 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुई :-

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या 3-14/2000-ई०एल०एन०, दिनांक 27 जून, 2001.	निर्वाचन विभाग	राजपत्र हिमाचल प्रदेश (असाधारण), दिनांक 19 मार्च, 2001 में संशोधन ।
No. SEC-5-17/94-II-1262-1328, dated 17th July, 2001.	State Election Commission, Himachal Pradesh	Himachal Pradesh Municipal (Disqualification of office bearers, etc.) Rules, 2001.

भाग-1 - वैधानिक निकायों की अधीनस्थ हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

IRRIGATION AND PUBLIC HEALTH
DEPARTMENT

प्रशासन विभाग

NOTIFICATIONS

शुद्धि पत्र

Shimla-2, the 26th June, 2001

शिमला, 26 जून, 2001

संख्या ए० एच० वाई०-एफ० (10)-10/99. — इस कार्यालय की अधिसूचना संख्या ए० एच० वाई०-एफ० (10)-10/99, दिनांक 26-6-2001, द्वारा कम संख्या-4 पर जो प्रति भूखण्ड समितियों को नि० विभाग सारन, बिना सोलन को पृष्ठशक्ति की गई है, के स्थान पर उपमंडलाधिकारी (नागरिक), राजगढ़, बिना मिरमोर पड़ा जाए।

हस्ताक्षरित/-
भर सचिव।

No. IPH-A-2(B)6-4/2000. — The Governor, Himachal Pradesh, is pleased to order the cancellation of transfer of the following Assistant Engineers in Irrigation and Public Health Department, with immediate effect, in the public interest :—

Sl. No.	Name of AEs	From	To
S/Shri :			
1.	S. K. Sharma	U/T from IPH Circle, Orders Una to Sub-Division, cancelled	Mawgarh.
2.	D. K. Chaudhary	U/T from IPH S/ Division, Hamirpur cancelled	to I & PH Circle, Nurpur.
3.	B. S. Mastana	U/T from IPH S/ Division, Baldwara cancelled	to Kotgarh.

The above officers will submit their charge report of relinquishment or assumption to this department immediately.

Shimla-2, the 27th June, 2001

No. IPH-A-2(B)6-4/2000-Part. — The Governor, Himachal Pradesh, is pleased to order the cancellation of transfer order of Shri Arun Kumar Sharma, Assistant Engineer, who is under transfer from IPH Sub-Division No. II, Mandi to IPH Sub-Division, Rohru with immediate effect, in public interest.

Shimla-2, the 29th June, 2001

No. IPH-A-2(B)6-4/2000. — The Governor, Himachal Pradesh, is pleased to order the cancellation of transfer order of Shri Hem Chand, Assistant Engineer, who is under transfer from IPH Division, Mandi to IPH Sub-Division, Chattri with immediate effect, in public interest.

Shimla-2, the 30th June, 2001

No. IPH(A)-2(B)6-1/2001. — The Governor, Himachal Pradesh, is pleased to order the cancellation of transfer of S/Shri Ashok Shreedhar and B. S. Bhatia, Executive Engineers who are under orders of transfer from IPH Division, Dalhousie to Solan and from IPH Division, Solan to IPH Division, Rampur issued vide this department notification of even number, dated 26-6-2001, with immediate effect, in the public interest.

Shimla-2, the 30th June, 2001

No. Home (A)-D (4)-198. — In continuation of this Government Notification of even number, dated 10-9-1999, 6-3-2000, 9-6-2000, 8-12-2000 and 29-3-2001 and in exercise of the powers conferred by Section 3 of the Commission of Inquiry Act, 1952 (Act No. LX of 1952) read with Section 21 of the General Clauses Act, 1897 (Act No. 10 of 1897), the Governor, Himachal Pradesh is pleased to extend the period by 6 months i.e. upto 31-12-2001 or till after a fortnight of the decision of Supreme Court of India in SLP (Civil) No. 747/2001, whichever is earlier, for submission of the report, specified in the Notification referred to above to the State Govt.

By order,

A. K. GOSWAMI,
Chief Secretary.

No. IPH-A-2(B)6-4/2000-Loose. — The Governor, Himachal Pradesh, is pleased to order the transfer/adjustment of Shri Gulshan Rai, Assistant Engineer (Mech.), who is under order of transfer from IPH Sub-Division, Churati to IPH Sub-Division, Dadamabha at IPH Sub-Division, Dhalli, with immediate effect, in public interest.

गृह विभाग

अधिसूचना

शिमला-3, 28 जून, 2001

संख्या गृह (ए) डी (4)-1/98. — हिमाचल प्रदेश के राज्यपाल, इस सरकार का समस्तक अधिसूचना, तारीख 10-8-1999, 6-3-2000, 9-6-2000, 8-12-2000 तथा 29-3-2001 के क्रम में आर साधारण खण्ड अधिनियम, 1897 (1897 का 10) की धारा-21 के साथ पठित जाच आयोग अधिनियम, 1952 (1952 का 60) का धारा-3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उपर्युक्त निर्दिष्ट अधिसूचना में वित्तिद्विष्ट रिपोर्ट को राज्य सरकार को प्रस्तुत करने की अवधि को छ मास तक अर्थात्, तारीख 31-12-2001 तक या एम० एल० पी० (सिविल) संख्या 747/2001 में उच्चतम न्यायालय के वित्तिय से पन्द्रह दिनों की अवधि के पश्चात् तक, जो भी पूर्वतर हो, बढ़ाते हैं।

आदेश द्वारा,

ए० के० गोस्वामी,
मुख्य सचिव।

[Authoritative English text of this Department Notification No. Home (A)-D (4)-1/98, dated 28-6-2001 as required under clause (3) of Article 348 of the Constitution of India].

HOME DEPARTMENT

NOTIFICATION

Shimla-171 (02), the 28th June, 2001

Shimla-2, the 4th July, 2001

No. IPII-A-B(H)-4/2001 - The Governor, Himachal Pradesh, is pleased to order the transfer/adjustment of following Assistant Engineers (Civil) in Irrigation & Public Health Department, with immediate effect in public interest :-

Sl. No.	No. Name of A.E.	From	To
1	2	3	4
1.	Shri K. K. Sood	U/T from IPII S/Division, Badukhar to SNP, Fatehpur	IPII S/Division, Darnah against vacancy.
2.	Shri V. D. Kanwar	U/T from IPII S/Division, Shimla to SNP, Fatehpur.	IPII S/Division, Gumsa instead of Shri Mehar Chand, A. I.
3.	Shri Mehar Chand	U/T from IPII S/Division, Sangrah to IPII S/Division, Gumsa.	A. P. (D-4), P & I I, Shimla against vacancy.
4.	Shri N. K. Sharma	U/T to S/Division, Kumarsain.	IPII S/Division No. 1, Una vice Shri N. P. Mithas.
5.	Shri S. P. Mithas	IPII S/Division-1, Una	IPII S/Division, Mast-gach under IPII Division Goglara against vacancy.

The above officers will submit their charge report of relinquishment and assumption to this Department immediately.

By order,

Sd/-
Financial Commissioner-cum-Secretary.

विधि विभाग

अभिलेख

शिमला-2, 20 जून 2001

(H.P.) to Pastor (Rev.) Moha Dutt, New Life Fellowship, Karog, District Mandi.

By order,

RAMESHWAR SHARMA,
L. R. cum-Secretary (Law).

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 26th May, 2001

No. 19-N/97-Shram-II. In exercise of the powers vested in him under section 17 (1) of the Industrial Dispute Act, 1947, the Governor, Himachal Pradesh, is pleased to order the publication of awards in the Rajpatra announced by the Presiding Officer, Labour Court of the following cases:

Sl. No.	Ref. No.	Particulars	Section	Remarks
1	2	3	4	
1.	Ref. No. 80/96-Shri Khem Raj Vs. Ram Mandir Sood Dharamchala, Ram Bazar Shimla & Others.	-10-	Publica-tion	
2.	Ref. No. 138/96-Didar Singh Vs. Himalaya Construction Company & Others.	-10-	-do-	
3.	Ref. No 28/99-Shri Balwant Kumar Vs. M/s. Gabriel India Parwanoo.	-10-	-do-	
4.	Ref. No 59/2000-Workers Union Vs. Mgt. of Unit & Others.	-10-	-do-	

[Authoritative English text of this Department notification No. LLR-B (14)-6/2000, dated 29th June, 2001 as required under clause (3) of the Constitution of India].

LAW DEPARTMENT

NOTIFICATION

Shimla-171 002, the 29th June, 2001

No. LLR-B (14)-6/2000. -In exercise of powers vested in him under Sections 6 and 9 of the Indian Christian Marriage Act, 1872 (Act No. 19 of 1872), the Governor, Himachal Pradesh, is pleased to grant a licence to solemnize marriages among the Christians within the territory of Karog Church, District Mandi

				In the Court of Smt. Aruna Kapoor, Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Shimla	
1	2	3	4		
5.	Ref. No. 213/98-Om Parkash & Others Vs. M. D. Himachal Worest. Mills Nalagarh.	-10-	Publication	Ref. Case No. 80/9	
6.	Ref. No. 163/98-Banware Lal Vs. M/s Drish Shoes Ltd., Tehsil Nalagarh, District Solan.	-10-	-do-	In re:	
7.	Ref. No. 167/98-Shri Anand Kumar Vs. Drish Shoes Ltd., Tehsil Nalagarh, District Solan.	-10-	-do-	1. Sh. Khem Raj Verma son of Sh. Sunder L Verma, Counter Clerk, Village Ghandal, P.O. Shakrah, Tehsil & District Shimla.	
8.	Ref. No. 168/98-Shri Jai Ram Vs. Drish Shoes Ltd., Tehsil Nalagarh, District Solan.	-10-	-do-	2. Sh. Sohan Lal son of Sh. Molak Ram, Village Mahu Nagm, Tehsil Karsog, District Mandi (H.P.).	
9.	Ref. No. 160/97-Smt. Kalawati Devi Vs. Resident Engg. Shanan Power House J/Nagar, District Mandi.	-10-	-do-	3. Sh. Ram Krishan son of Sh. Dhani Ram Sharma, Booking Assistan, Village Odri, P.O. Bandhi Tehsil Palampur, District Kangra (H.P.).	
10.	Ref. No. 93/99-Surinder Kumar Vs. M/s Samtal India, Sector-2, Parwanoo.	-10-	-do-	4. Sh. Jai Chand son of Sh. Dev Raj, Bookin Assistant, V.P.O. Sundhagal, Tehsil Nadaur District Hamirpur (H.P.).	
11.	Ref. No. 7/99-Lekh Ram Vs. the Director of Fisheries, Government of Himachal Pradesh, Bilaspur & Others.	-10-	-do-	5. Sh. Gopal Krishan son of Sh. Bhagat Ram, Booking Assistant Foreign Office Cottage Dogra Lodge, Tuttikandi, Shimla.	
12.	Ref. No. 12/99-Shri Sukh Ram Vs. H. P. P. W. D. Division No. 1, Bilaspur.	-10-	-do-	6. Sh. Joginder Singh son of Sh. Udham Singh, Store Keeper, Village Kaneri, P.O. Marothi, Tehsil Karsog, District Mandi (H.P.).	
13.	Ref. No. 170/99-Shri Govind Ram Vs. the Resident Engg. Bassi Power House, H. P. S. E. B. J/ Nagar, Mandi.	-10-	-do-	7. Sh. Piar Singh son of Sh. Saran Dass, Village Dodra Kwar, P.O. Kwar, Tehsil Kaware, District Shimla.	
14.	Ref. No. 62/97-Pawan Kumar Vs. M. D. State Industrial Development Corpn. Himachal Pradesh, Shimla.	-10-	-do-	8. Sh. Hari Mal Thakur son of Sh. Dumnu Ram, Village Berdna, P.O. Dharampur, Tehsil Sarkaghat, District Mandi (H.P.).	
15.	Ref. No. 198/98-Shri Dole Ram Vs. I&PH, S/Nagar District Mandi (Himachal Pradesh).	-10-	-do-	9. Sh. Desh Raj son of Sh. Budhi Ram, Village Jabal-Jhabrot, P.O. Jhabal-Jhabrot, Tehsil Arki, District Solan (H.P.).	
16.	Ref. No. 64/91-Shri Kapil Dev Vs. Himachal Pradesh Small Industrial and Export Corpn. Himachal Pradesh & Others.	-10-	-do-	10. Sh. Tek Singh Kanwar son of Sh. Lachhami Singh, Typist-cum-Clerk, Village Dhar, P.O. Sarkaghat Tehsil & District Shimla (H.P.).	
17.	Ref. No. 30/96-Shri Bhag Singh Vs. Bharat Petroforam Company Pvt. Ltd., Barotiwala, Solan.	-10-	-do-	11. Sh. Neki Ram son of Sh. Kakshmi Dass, Peon, Village Chikanaraha, P.O. Dumehar, Tehsil Arki, District Solan (H.P.).	
18.	Ref. No. 41/99-Shri Roshan Lal Vs. Executive Engineer Parwati Invest Division No.-11 H.P.S.E.B. Sarabai Bhunter, Kullu, Himachal Pradesh.	-10-	-do-	12. Sh. Sher Singh son of Sh. Lakha Ram, Village Thara, P.O. Thara, Tehsil Baijnath, District Kangra, (H.P.).	
19.	Ref. No. 22/99-Shri Nanda Ram Vs. The Conservator of Forest, Nahan Circle, Nahan, District Sirmaur, Himachal Pradesh & Others.	-10-	-do-	..Petitioners.	
20.	Ref. No. 91/97-Shri Dharminder Singh Vs. M/s B. C. C. Fuba Ltd., Nalagarh, Tehsil Nanagarh, District Solan.	-10-	-do-	Versus	
21.	Ref. No. 203/98-Anant Ram Vs. Hotz Industry Pvt. Ltd., Prop of Alasia Hotel, Kasauli, District Solan.	-10-	-do-	1. Ram Mandir Sood Dharamshala, Ram Bazar, Shimla through its Manager.	
22.	Ref. No. 141/99-Shri Vijay Rattan Vs. Saysons Pvt. Laboratories Ltd., Parwanoo.	-10-	-do-	2. Sood Sabha, Ram Mandir Complex, Ram Bazar, Shimla through its Secretary ..Respondents.	
23.	Ref. No. 48/95-Rajinder Singh Driver Vs. C. F. J. V. H/O Sholding, Bhawa Nagar, District Kinnaur.	-10-	-do-	Reference under section 10 of the Industrial Disputes Act, 1947.	

For Petitioners : Sh. Hem Raj, AR.

For Respondents: Sh. R. L. Kaith, Advocate.

AWARD

This reference has been received from the appropriate Government. The reference has been sent for adjudication of the claim of 13 workers serving in Ram Mandir Sood Dharamshala, Shimla with regard to their alleged illegal termination in violation of Section 25-F of the Industrial Disputes Act, 1947, the claim petition has been signed only by five persons namely S/Shri Khem Raj petitioner No. 1, Pyar Singh Petitioner No. 7, Tek Singh Petitioner No. 10 two others, whose names are not legible. It has been alleged that petitioners were inducted in employment on different dates and their

By order,
Sd/-
Fin. Commr.-Cum-Secretary.

services except for petitioner No. 6 were terminated illegally on 10-6-1996. It is submitted that they had completed more than 240 days in a calendar year before their illegal termination. Further that neither any enquiry was conducted nor any retrenchment compensation etc., was paid to them.

2. Petitioners have also alleged that the respondents are owning and managing Ram Mandir Complex situated at Ram Bazar, Shimla. Certain premises of the complex have been rented out and other parts of the complex comprising of two big halls and more than 100 rooms are being rented for marriage ceremonies and other social functions on payment of charges. About 20 workers have been employed by the respondent, but they are not being paid minimum wages as per the Labour Laws. Therefore, to protect the interest of workers, a union was formed on 18-1-1996 in the name of Ram Mandir Sood Dharamshala Workers Union. Intimation in this regard was duly sent to the Management and grievances were put forth by the workers through their union. Since the demands were not met, a strike notice was served on 2-2-1996. It is also contended that petitioners were to resort to token strike on 16-2-1996, but the management communicated with them *vide* their letter dated 12-2-1996 and supplied a duty roster by way of punishment for raising the voice against the management. It is further submitted that though this letter was duly replied, but in order to scuttle the legitimate rights of the workers, management with mala fide intentions transferred petitioner No. 1 from Shimla to Haridwar. It is submitted that this action was taken to victimize the workers for being the office bearers of the union. A representation was made by the employee through the union in this regard as well, however to no avail. Then Labour Inspector-cum-Conciliation Officer was approached. On receiving the communication from Labour Inspector, respondent instead of settling the dispute, prevented the petitioners from marking their presence and did not allow them to perform their duties. Again a letter was sent by the workers on 24-8-96 and a complaint was also made to the Labour Officer.

3. It is alleged that respondents then framed false charges against petitioner No. 1 and also sacked petitioner No. 6 from service. Efforts of the Conciliation Officer to settle the matter failed due to non-conciliatory attitude of the management. Hence, the matter was referred to this Court by the appropriate Government.

4. The different dates of the appointment of the petitioners have been detailed in Para-12 of the claim petition.

5. In the reply filed by the management preliminary objections have been raised that only four persons have signed the claim petition and even the names of the persons signing it are not clearly spelt. It is also contended that the reference is bad in law and it, is without jurisdiction. Further that the respondent is not an industry as defined under the Industrial Disputes Act. Therefore, no reference could have been sent under section 10 (1) of the Act.

6. On the merits it is contended that the respondent is a charitable and religious institution and only maintenance charges are being charged from the visitors staying in Dharamshala. It is also contended that some portion of the building has been rented out to meet the expenses or the charitable works being undertaken by the Sabha. It is also mentioned that the income thus generated is not even sufficient for the activities of the Sabha and it has to depend upon the help of philanthropists and donors. The respondent has emphasized that no business is being run by the Sabha rather, Dharamshala is being used as a Charitable institution.

7. The respondents has also mentioned that all the employees are getting reasonable pay and the Labour Laws are not applicable. It is also contended that on the instigation of the 'Lal Jhanda' Union some of the employees got misguided and proceeded on strike w.e.f. 11-5-96. It is also submitted that transfer of petitioner

No. 1 from Shimla to Haridwar had nothing to do with trade union activities and he was only transferred in the larger interests of the Sabha. Similarly it is mentioned that petitioner No. 6 was on probation and his performance was not found satisfactory. Hence his services were terminated.

8. The respondents have also alleged that no employee was disengaged or terminated nor any disciplinary action was taken against them. Rather the union resorted to illegal strike w.e.f. 11-5-96 and indulged in demonstrations outside the main gate of Ram Mandir Dharamshala. Therefore stay order had to be obtained from the civil court against the petitioner who are restraining the worshipper and other workers from entering the Dharamshala premises. It is submitted that out of the petitioners, petitioner No. 3 Ram Krishan, petitioner No. 4, Jai Chand, petitioner No. 5 Gopal Krishan, petitioner No. 8 Hari Mal Thakur, petitioner No. 10 Tek Singh, petitioner No. 11 Amar Nath and petitioner No. 13 Sher Singh have no dispute and have joined the services of the respondent and the claim of the rest of the petitioners is not genuine. Hence reference may be answered against them.

9. On the pleadings of the parties, my *Id.* predecessor had framed the following issues on 30-8-1996 :-

1. Whether the termination of the services of the petitioners is illegal and contrary to the provisions of Industrial Disputes Act, 1947 as alleged ?

OPP

2. Whether the petition in its present form is not maintainable on the grounds as alleged ?

..OPR

3. Whether this Court has no jurisdiction to entertain, try and adjudicate upon the reference in question as alleged ?

..OPR

4. Whether the respondent does not fall within the definition of an industry as defined in section 2 (j) of the Act as alleged ?

..OPR

5. Relief

Issues : 2; 3 and 4 FINDINGS

10. All these issues are being taken up jointly as they require the appreciation of same evidence and law. The main contention of the respondent is that it is not an industry under the Industrial Disputes Act and therefore, matter could not have been referred by the state Government for adjudication. Secondly that since the Industrial Disputes Act is not applicable therefore, there is no question of adaption of section 25-F of the Industrial Disputes Act, 1947. The contention of the respondent is that though Sood Sabha Complex has been partially rented out to a Bank and for shops, and also that though the rooms in the Dharamshala run by the respondent are being let out to the visitors, but only use and occupation charges are being taken in order to maintain the charitable activities of the Sabha. It is emphasized that no commercial activities are taking place and rent being charged is for maintenance on no profit basis. Therefore, the respondent is not an industry. Hence the Industrial Disputes Act is not applicable.

11. On the other hand, the petitioners have contended that huge amount of income is being generated by renting out the shops and premises to a commercial Bank and also two big halls are being given on rent for marriages and other social functions. The rooms are also being rented as a consequence of commercial activities, therefore, the respondent is indulging in commercial activities and is an industry. It is also emphasized that all these activities are being undertaken in an organized manner. Therefore the respondent cannot take the plea that it is not an industry.

12. The evidence which has come on record consists of statement of three of the petitioners namely Khem Raj, Sohan Lal and Neki Ram and three witnesses on behalf

of the respondent namely Shri Om Parkash, Vijay Kumar Sood and Shri Jaswant Rai. Shri Khem Raj, Sohan Lal and Neki Ram have stated that there are about 100 rooms, which are rented out to the public. In addition, the halls are rented out for the marriage and other social functions and also some shops have been rented out permanently. It is also submitted that there is a canteen, also which has been given on contract basis and is also generating income.

13. On the other hand, Shri Vijay Kumar Sood who is the treasurer of the Respondent Sabha has mentioned that income is being generated by donations, revenue generated through Dharamshala and rent from the commercial shop etc. and also the use and maintenance charges from the rooms of Dharamshala. However, they are running two Sood Dharamshalas one at Shimla and the other at Haridwar and also a Ram Temple at Shimla. Respondent is also running a free homoeopathy Dispensary at Shimla and providing scholarships to poor children, unemployed persons and is taking other charitable activities. It is also mentioned that they are exempt from income tax being charitable institution. He has mentioned that no commercial business activities are being taken up. In cross-examination, he has been given suggestion that annual turn over of the business of Dharamshala is about one crore, which is denied. However, he has mentioned that he has not brought the balance sheet for any year. Shri Jaswant Rai, who is the President of Ram Mandir Sood Dharamshala has mentioned that it is an institution for poor, widows and the students.

14. The respondents have also relied upon a judgment delivered by Hon'ble Court of Gujarat reported in 1992-FLR-808, wherein it was held that where activities of Dharama, Dhyana, Bhakti and Pooja are carried and when nothing is shown to prove that prasada etc., are at a profit, then temple cannot be considered to be an industry.

15. On the other hand petitioners have relied upon the judgment delivered by Hon'ble H.P. High Court, in COP No. 330 of 1998 dated 1-9-98 wherein this point was considered viz-a-viz the status of Baba Balak Nath Temple Trust Deothsid. In this detailed judgment interpretation of Section 2 (j) of the Industrial Disputes Act has been given with reference to the judgment delivered by Hon'ble the Supreme Court in Bangalore Water Supply Versus A. Rajappa and others reported in (1978) 2-SCC-213. The Hon'ble the Supreme Court has laid down certain tests for deciding whether an establishment is an industry or not. It is held that industry as defined under Section 2 (j) of the Industrial Disputes Act and explained in Banerji (supra), has a wide import.

"(a) Where (i) systematic activity, (ii) organized by co-operation between employer and employee (the direct and substantial element is commercial) (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bliss e.g. making, on a large scale prasada or food), prima facie, there is an 'industry' in that enterprise. (b) Absence of profit motive or gainful objective is irrelevant, be the venture in the public, joint private or other sector.

(c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations. (d) If the organization is a trade or business it does not cease to be one because of philanthropy animating the undertaking."

16. Our own Hon'ble High Court of Himachal Pradesh has held in CWP No. 330 of 1998 that the tests laid down in Para 140 of Bangalore Water Supply (supra) prove that Baba Balak Nath trust is an industry. It was held that ;—

"that the trust is an 'industry' being undertaking, which is engaged in (i) systematic activity, (ii)

organized by co-operation between employer and its employees (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes of devotees and pilgrims visiting the temple of the Trust by carrying on the activities of construction, development and maintenance of the buildings and properties of the Trust including that of the Temple and 'Thadas' where the offerings are made, running of langar for the devotees and pilgrims, the running of canteen, maintenance of mini museum, library, school, colleges etc. etc. as stated in the reply affidavit of the Trust. It is of no consequence that langar is being run free of any charge and canteen is being run on no profit no loss basis as absence of profit motives or gainful objectives in the activities of the undertaking is irrelevant. The true focus is functional and decisive test is nature of the activity with the special emphasis on the employer-employee relations having semblance to trade or business, which test is satisfied by the facts brought on record by the Trust to hold it 'industry' as defined in section 2 (j) of the Act."

17. The Hon'ble High Court has observed that by applying these dominant nature tests as held in Bangalore Water Supply Supra, Baba Balak Nath Trust is an industry. It was observed that "it is not the case of the trust that the petitioners were engaged for such activities which are purely spiritual or religious for which it must be having regular staff. Therefore, in answer to the first question we hold that the trust is an 'industry' and the petitioners being its daily waged workers are its workmen, who are governed by the provisions of the Industrial Disputes Act."

18. In the present case the petitioners are engaged in the activity which can not be termed as spiritual and religious. They are employed in a organised systematic activity of running Dharamshala. May be that Dharamshala is running its business i.e. renting out of rooms of Dharamshala, renting out of halls for marriages and social functions and renting out of certain shops and commercial premises for the bank on no profit basis allegedly, yet these activities are akin to the activities of an industry. It is of no consequence that activities are being under taken on no profit no loss basis as these considerations have been held to be irrelevant by Hon'ble the Apex Court and it is emphasized that true focus is functional and decisive test is nature of the activity with the special emphasis on the employer-employee relations having semblance to trade and business. Moreover though it is alleged that these premises are being rented out on no profit no loss basis or as maintenance charges for use and occupation, but the accounts books which could determine the exact nature of work and business have not been produced in the Court. Suggestion has been given by the petitioners that turn over of the Dharamshala is about one crore which is denied. But it is admitted that about 40,000/- per month is being generated as income from the rental and annual income of the trust is about 6 to 7 lacs. Further that about 16 workers are working regularly for the Dharamshala, so all these activities establishes that the respondent is an industry for the purpose of relationship between it and its employees and therefore, Industrial Disputes Act is applicable to it. I, therefore hold that respondent is an industry within the meaning of section 2 (j) of the Industrial Disputes Act and the reference does not suffer from any such defect and it is maintainable and this Court has jurisdiction to determine the dispute in question.

19. As regard the arguments that only five persons have signed the claim petition, there seems to be merit in this objection. Petitioners Khem Raj, Tek Singh, Sohan Lal have appeared in the witness box in support of their claim and so it appeared that they are the signatories of the claim petition though I may add that neither in the examination-in-chief nor in the cross-examination, they have been confronted with these signatures in the claim petition. I, therefore, hold that claim petition has been signed only by petitioners, Khem Raj, Sohan Lal,

Pyar Singh, Tek Singh and Neki Ram, and is maintainable on their behalf only. Therefore, the issues are decided accordingly.

20. *Issue No. 1.*—Petitioners have claimed that their terminations is illegal as the compliance of section 25-F of the Industrial Disputes Act has not been made. Specific reference which has been made to this Court is with regard to non-compliance of section 25-F of the Industrial Disputes Act, 1947. Though the claim of the petitioners is that their termination is punitive in nature as they had formed a union and raised some demands for minimum wages etc., but the management has disputed this claim by saying that it was the workers who resorted to illegal strike and their services infact were not terminated by the respondent. In order to appreciate the rival contentions it will be proper to go through the genesis of the dispute.

21. Some of the petitioners who have filed claim petition have been serving the respondents for 4-5 years, but they chose to form a union only in January, 1996. Petitioner No. 1 Shri Khem Raj, was the General Secretary of the union. According to him the workers raised the demands for minimum wages and for providing roster for the workmen working for 8 hrs. a day but the management in order to punish the workers, though did formulate a roster, but it was done in such a way that workers were put to inconvenience. The workers communicated with management through a letter pointing out that the roster is not in accordance with law, as it provides for (a) 8 hrs. continuous duty, (b) no indication regarding the change of roster for those who were working in the night shift (c) does not make any mention of holidays and leaves etc. The roster circulated by the management on record and the document shows that the objections raised by the union in this behalf were not without substance. It seems that thereafter further correspondence took place between the workers and the management and workers served a notice to proceed on strike. In the meantime the petitioner No. 1 was transferred from Shimla to Haridwar and was directed to join there within 4 days. This fact further aggravated the matter. Moreover petitioner No. 6 who had joined recently and was allegedly on probation was terminated *vide* a written communication alleging that his work is not satisfactory. In these circumstances the differences between the workers and the management deepened according to the workmen they were not allowed to mark their presence though they had approached the Conciliation Officer and had also tried to negotiate with the management through his good offices.

22. On the other hand the contention of the management is that the workers indulged in slogan shouting and did not report for duty and thereafter, they had to obtain a stay against them from the civil court to get free access to Sood Sabha Dharamshala.

23. The fact remain that these workers accept petitioner No. 6 completed more than 240 days. It can not also lost sight of that the differences between the workers and the management arose after the formation of the union and raising of the demands for minimum wages and duty roster. It was has not been disputed that the petitioner No. 1 was the General Secretary of the union and he was transferred from Shimla to Haridwar. The management has not led any evidence to show that in the past also the employees from one concern were being shifted to another in the interest and in the case of normal functioning of the Sood Sabha. So it appears that it was a coercive step taken by the management to curb the union activities. It is apparent from the evidence and the documents that management did not respond positively to the efforts made by the Conciliation Officer to settle the dispute. There is also nothing on record to show that the worker had abstained from work continuously despite management being willing to allow them to work pending their grievances. Though it has been stated that the work of Sabha came to standstill for a long period ranging from 2 to 4 months but there is no evidence to prove that the workers were on strike and were not attending to their duties. Moreover had the workers been absenting themselves the management was at liberty to proceed

against them by taking disciplinary action for their misconduct. Admittedly no enquiry was held against them. Moreover even the retrenchment compensation etc., was not admittedly paid. It seems that though no oral or written order of retrenchment was passed by the management, but the management did not allow the petitioners to join duties, which amounts to retrenchment of the workers. Admittedly none of the conditions under section 25-F of the Act were adhered to. Therefore, the disengagement of the workers amounts to retrenchment in violation of Section 25-F of the Act. Since only 5 of the petitioners have signed the claim petition and have authorised Shri Hem Raj to espouse their claim, therefore, the reference succeed with respect to these five persons. Even otherwise the respondents have mentioned in their reply that eight persons have joined back and are still in the employment of Sood Sabha. Therefore, the claim with respect to only Khem Raj, Sohan Lal, Tek Singh, Pyar Singh and Neki Ram survive.

24. As regards petitioner Joginder Singh, admittedly he has not completed 240 days, therefore, he was not entitled to any compensation or notice. Moreover, his disengagement is not stigmatic and he has been disengaged having not satisfactorily worked during the probation period. Hence the issues are decided accordingly.

RELIEF

25. Keeping in view the aforesaid discussion and findings I hold that the disengagement of the petitioners namely Khem Raj, Sohan Lal, Tek Singh, Pyar Singh and Neki Ram amounts to retrenchment and is illegal being violative of Section 25-F of the Industrial Disputes Act, 1947. I, therefore hold that they are entitled to reinstatement with full back seniority and are also entitled to 50% of backwages from the date of their disengagement till they are re-instated or within 40 days of the publication of the award whichever is earlier. It is stated that 50% of the wages have already been paid *vide* interim order passed by this Court till February, 2001. The interim order stands vacated. No Reference is answered accordingly. Let a copy of this award be sent for publication.

Announced in the Open Court today this 30th Day of March, 2001.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla

R 138/96

Shri Didnr Singh & others

Vs.

Himalayan Construction Company & Others

24-4-2001:—*Present.*—None for the petitioners.
Shri S. S. Desta, Advocate for
Respondent.

The case called thrice, waited for quite some time. Still none appeared for the petitioner. It seems that either the petitioner has settled the matter or is not interested to pursue his case. Hence, the reference is answered in negative for want of non prosecution. Let a copy of this order be sent for publication.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla

Ref. 28/99

Decided on 19-4-2001

Shri Bulwant Kumar V/s M/s Gabriel India Ltd.,
Parwanoo.

Present:—Shri Anil Chawla Advocate for petitioner.
Shri V. K. Gupta, A. R. for Respondent.

As per statement of the learned counsel for the petitioner placed on record, it is stated that the petitioner is not traceable despite best efforts. He might have settled the dispute with the respondent and do not want to pursue the matter.

As per the statement made by the AR for the respondent. The petitioner has settled the matter with the respondent vide Ex SI placed on record. In view of the statements of the parties placed on record. The reference is answered in negative. Let a copy of this order be sent to appropriate government for its publication.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla

Ref. : 59/2000

Workers Union of M/s Chhabra Tube Product Ltd.,
B/wala ..Petitioner.

V/s

Mgt. of unit & others ..Respondent.

Reference under section 10 of the Industrial Disputes
Act, 1947.

16-4-2001 : Present :—None for the petitioner.
Shri V. K. Gupta A. R. for
the respondent.

The case called thrice waited for quite some time. Petitioner not present despite service through Registered A. D. receipt. It is not possible to answer the reference in the absence of petitioner. Hence the reference is answered in negative for non prosecution. Let a copy of this order be sent to appropriate Government for its publication.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla

Ref. 213/98

Decided on 19-4-2001

Om Parkash & others .. Petitioner.

V/s

Managing Director, Himachal Worsteds Mills,
Nalagarh .. Respondent.

Reference under section 10 of the Industrial Disputes
Act, 1947.

19-4-2001 : Present :—None for the petitioner.

Shri Rajeev Malhotra, A. R. for
the respondent.

The case called thrice. Waited for quite some time. Still none appeared for the petitioner. The reference is answered in negative for want of petitioner. Hence the

petition is dismissed in default of the non-prosecution. Let a copy of this order be sent to appropriate Government for its publication.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court Shimla

Ref. 163/98

1. Shri Banwari Lal, 2. Shri Anand Kumar, 3. Shri
Jai Ram .. Petitioners.

V/s

M/s Drish Shoes Ltd, Tehsil Nalagarh, District Solan
.. Respondent.

Reference under section 10 of the Industrial Disputes
Act, 1947.

21-3-2001 : Present :—Shri J. C. Bhardwaj A. R. for the
petitioner.

Shri Gurdeep Singh A. R. for
the respondent.

Both the parties have settled their claim out of Court as per settlement Ex. P. A. and as per statements of the parties, they do not want to pursue this claim.

Therefore, in view of the Statements of the parties and settlement Ex. P. A. placed on record, the present petition is dismissed as having been fully satisfied and the reference is answered accordingly. Settlement Ex. P. A. will form the part of award. Let a copy of this order be sent to the appropriate Government for its publication.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla

Ref. 167/98

1. Shri Banwari Lal, 2. Shri Anand Kumar, 3. Shri
Jai Ram .. Petitioners.

V/s

M/s Drish Shoes Ltd, Tehsil Nalagarh, District Solan
.. Respondent.

Reference under section 10 of the Industrial Disputes
Act, 1947.

21-3-2001 : Present :—Shri J. C. Bhardwaj A. R. for the
petitioner.

Shri Gurdeep Singh A. R. for the
respondent.

Both the parties have settled the claim out of Court as per settlement Ex. P. A. and as per statements of the parties, they do not want to pursue this claim.

Therefore, in view of the statements of the parties and settlement Ex. P. A. placed on record, the present petition is dismissed as having been fully satisfied and the reference is answered accordingly. Settlement Ex. P. A. will form the part of award. Let a copy of this order be sent to the appropriate Government for its publication.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court, Shimla

Ref. 168/98

1. Shri Banwari Lal, 2. Shri Anand Kumar,
Shri Jai Ram .. Petitioners.

Versus

M/s Drish Shoes Ltd., Tehsil Nalagarh, District
Solan .. Respondent.

Reference under section 10 of the Industrial Dispute
Act, 1947.

21-3-2001 : Present : Shri J. C. Bhardwaj A. R. for
the Petitioner,
Shri Gurdeep Singh A. R. for
the respondent.

Both the parties have settled their claim out of
Court as per settlement Ex. P A and as per state-
ments of the parties, they do not want to pursue this
claim.

Therefore, in view of the statements of the parties
and settlement Ex. PA placed on record, the present
petitioner is dismissed as having been fully satisfied
and the reference is answered accordingly. Settlement
Ex. P A will form the part of award. Let a copy of
his order be sent to the appropriate government for
its publication.

leal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court, Shimla

Ref. No. 160/97

Decided on 23-4-2001

Smt. Kalavati Devi .. Petitioner.
V/s

Resident Engineer, Shanan Power House, Joginder
Nagar, District Mandi .. Respondent.

Reference under section 10 of the Industrial Dispute
Act, 1947.

23-4-2001 : Present :—Petitioner in person.

Shri Shamsher Singh, A. R. for the respondent.

In view of the statement of the petitioner, she do not
want to pursue this petition on technical grounds with
liberty to raise industrial dispute. So in view of the
statement the reference is answered in negative. Let
copy of this order be sent to appropriate Government
for its publication.

leal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge
Himachal Pradesh Industrial Tribunal-cum-Labour Court,
Shimla

Ref. 93/99

Decided on 28-2-2001

Shri Surender Kumar .. Petitioner.
V/s

M/s Samtal India Ltd., Sector-2, Parwanoo
.. Respondent.

Reference under section 10 of the Industrial Dispute
Act, 1947.

28-2-2001 : Present : None for the petitioner

Shri S. D. Gill, Advocate for the respondent

The reference has been received from the appropriate
Government and notices were sent to the parties.
Respondent appeared in the court. But repeated notices
petitioner is not traceable. In the absence of petitioner
& evidence the reference cannot be answered. Hence
the reference is answered in negative. Let a copy of the
order be sent to appropriate Government.

ARUNA KAPOOR,
Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour Court
Shimla

Case Ref. No. 7/99

Instituted on 20-1-1999

Decided on 22-02-2001

In re :

Lekh Ram son of Shri Ghungar Ram through Shri
J. C. Bhardwaj, General Secretary, Himachal Pradesh
AITUC, Saproon-173211, District Solan, Himachal
Pradesh .. Petitioner.

Versus

1. The Director of Fisheries, Government of
Himachal Pradesh, Bilaspur, Himachal Pradesh.
2. The Assistant Director, Department of
Fisheries, Mandi, District Mandi, Himachal
Pradesh. .. Respondents.

Claim petition under section 10 of the Industrial Dis-
putes Act, 1947.

AWARD

For petitioner : Shri J. C. Bhardwaj, AR for
petitioner.

For respondent : Shri N. S. Chaudhary, AR for
respondents.

Petitioner has filed the claim for reinstatement in pur-
suance of the reference with full back wages and seniority.
It is alleged that he worked for 10 years continuously till
30-8-1989 in the department of fisheries Himachal
Pradesh at Bilaspur. Thereafter, his services were
terminated without any notice and retrenchment com-
pensation. He has also maintained that he was never
served with any charge sheet, show cause notice etc. and
so his termination is illegal and he is entitled to be
reinstated.

2. He has also mentioned that he made representa-
tions to the department, but to no avail. Further that
junior persons have been retained. Therefore, he is
reinstated with full seniority and back wages.

3. In the reply filed by the respondent it is mentioned
that petitioner was employed as beldar though no
formal letter of appointment was issued to him. It is
also contended that he was not in continuous employ-
ment rather was engaged as and when need for engag-
ing persons on casual basis arose.

4. It is submitted that actual work day chart which
is annexure-1 also reflects the frequent breaks availed
by the petitioner. Respondent has further submitted
that as per the directions of the state Government dated
10-5-1988 the powers of the Head of Departments to
engage class-IV employees on daily wages up to three
months were withdrawn and therefore, petitioner
could not be re-engaged thereafter. Hence there is no
violation of any legal right of the petitioner. Petition
deserves to be dismissed.

5. On the pleadings of the parties, my Ltd.
predecessor framed the following issues on 18-11-99:—

Issue No.1.—Whether the termination of the petitioner

is illegal in view as section 25 F of the Industrial Disputes Act, 1947. If so, its effect ?

OPP.

Issue No. 2. Relief.

FINDINGS

6. Issue No. 1.—Petitioner while stepping in to the witness box has mentioned that he has worked from April, 79 till 9-11-1989 with the respondent and he was issued certificate Ex. PA and Ex. PB regarding his efficiency and tenure of employment. He has also mentioned that he made representations on 4-8-1988 for regularisation his service as opr Ex. PC and Ex. PD. However, persons junior to him were kept, whereas his services were terminated without any notice or compensation. Only cross examination done on him, is that no person has been engaged in place of the petitioner.

7. To rebut this evidence Shri N. S. Chaudhry, Assistant Director Fisheries has stoped in to the witness box and mentioned that petitioner was engaged on muster-roll basis from April 80 to August 89 and he did complete 240 days in between in some of the years. Thereafter the facility of engaging daily wagers was withdrawn and so the petitioner was terminated. He admits that neither any notice nor any retrenchment compensation was given to him. He also admits that the petitioner had completed more than 240 days in the calendar year 1988 & 1989. He has also admitted certificate issued to the petitioner, but has mentioned that the persons issuing the certificates had no authority.

8. The evidence which has come on record proves that the petitioner did complete more than 240 days in the calendar year preceding his termination on 9-11-89. The only explanation which has been given by the respondent is that powers to employ on daily wages stood withdrawn as per the notification of the Government of Himachal Pradesh. Even if such powers had been withdrawn the petitioner was entitled to a notice and retrenchment compensation and also all other legal dues. His services could not have been terminated without complying with the provisions of section 25 F of the Industrial Disputes Act, 1947. The petitioner therefore has been illegally terminated without complying with the provisions of section 25 F of the Act as admittedly no retrenchment compensation was paid to him, though he was working on muster-roll basis from 1980 to August 89. He has also exhibited two certificates showing his continuous employment with the respondent from 16-6-80 to August 89. Therefore, the termination of the petitioner is illegal and unjustified. I, therefore, hold that the petitioner is entitled to reinstatement with full back seniority. However, the petitioner has not staked any claim for the wages while appearing in the witness box. He has not mentioned that he remained un-employed during this period and was not employed gainfully. Moreover petitioner has not made the claim till 1998 and kept on sleeping over his right. I, therefore hold that he is not entitled to back wages, though he is entitled to back seniority. Issue is decided accordingly.

RELIEF

9. Keeping view the aforesaid discussion and findings I hold that the termination of the petitioner is illegal and unjustified and the petitioner is re-instated in service with full back seniority but without back wages. The reference is answered in affirmative. Let a copy of this award be sent to the appropriate government for its publication in accordance with law.

Announced in the Open Court today this 27th Day of February, 2001.

Seal.

ARUNA KAPOOR,
Presiding Judge,
H.P. Labour Court, Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Ref. No. 12 of 1999

Instituted on 17-2-99

Decided on 1-3-2001

Shri Sukh Ram son of Shri Sunder Ram, Village Dhamna, P.O., Tehsil and District Bilaspur, Himachal Pradesh .. Petitioner.

Versus

Executive Engineer, HPPWD, Division No. 1, Bilaspur, Himachal Pradesh .. Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioner ; Shri Sunder Singh, A. R.

For respondent ; Shri Sukh Dev, A. R.

AWARD

This reference has been received from the appropriate Government. Petitioner has alleged that he has been terminated from service without complying with the provisions of section 25-F of the Industrial Disputes Act, 1947. It is submitted by him that he was employed on daily wages by the respondent and worked from 15-1-1992 to 27-5-1993. However, by a verbal order, his services were terminated on 28-5-1993 without serving any notice or furnishing any reason. Further submitted that persons junior to him were appointed during 1995-1996 and 1997 and despite his request, he was not given any employment. He has also submitted that retrenchment compensation was also not paid to him nor the principle of first come last go was adhered to. Therefore, the termination of the petitioner is illegal and he is liable to be re-instated in service with full back wages and full seniority.

2. In the reply filed by the respondent, it is admitted that petitioner worked from 15-1-1992 to 27-5-1993. However, that he was not retrenched, but was discharged alongwith other casual labourers. It is contended that the Department of P.W.D. engages casual labourers temporarily against seasonal and emergent workers and on completion of such workers, the casual labour thus engaged is disengaged/retrenched. It is submitted that the petitioner might not have come after this for the work and therefore, was not kept. However, it is mentioned that no persons Junior to the petitioner were employed. It is also mentioned that petition did not make any representation lastly that petition is time barred. Hence, it may be dismissed.

3. On the pleadings of the parties, my learned predecessor framed the following issues on 14-12-1999 ;—

1. Whether the termination of the petitioner is illegal in view of Section 25-F of the Industrial Disputes Act, 1947 ? If so, its effect ?

OPP.

2. Relief.

FINDINGS

4. Issue No. 1.—To prove his claim, petitioner has come into the witness box and on behalf of the respondent, Shri Pritam Singh, Assistant Engineer has appeared. RW-1 has admitted that petitioner worked for 347 days in 1992 and 114 days in 1993. In view of this statement, it is established that petitioner did complete more than 240 days in the calendar year preceding his disengagement. However, the stand taken by the respondent during evidence is different than the one taken in the reply by the respondent. It has been mentioned by RW-1. that petitioner left the job on his own and did not approach the department, whereas, in the reply the plea taken is that Department

of PWD generally engages workers for seasonal and emergent work and on completion of the work, they are disengaged. Therefore, the evidence which has been led by the respondent does not prove that the petitioner abandoned the job himself. Moreover, it is not established by the respondent that the petitioner was engaged for seasonal or emergent work and that work came to an end on 27-5-1993.

5. Since the petitioner has completed more than 240 days, he was entitled to certain benefits under the Industrial Disputes Act. He was entitled to the notice, retrenchment compensation and if no notice was served then wages for the notice period. None of these formalities have been completed and complied with and as I have already mentioned above, the abandonment of the job by the petitioner is not established on the record. Therefore, petitioner's services has been terminated in violation of Section 25-F of the Industrial Disputes Act, 1947. Petitioner has also mentioned that person junior to him have been engaged though he has not been able to name such persons, but again cross-examination of RW.1 reveals that the respondent keeps labourers for 89 days and thereafter they are disengaged. He has also mentioned that the department does not maintain the seniority list. This shows that in order to wriggle out of the legal obligation, the employment is being given only for 89 days to frustrate the genuine cause of the labourers like petitioner. So, for all these reasons, I hold that the termination of the petitioner is illegal as per Section 25-F of the Industrial Disputes Act, 1947.

6. The petitioner has mentioned that he was unemployed, and so he may be re-instated with back wages. The respondent has not led any evidence to prove the contrary. However, the fact that he did not make any representation till 1999 when the matter was referred by the State Government for the first time is not entitled to full back wages so back wages to the extent of 20 % will be adequate in these circumstances, petitioner is entitled to the seniority as par law. Issue is decided accordingly.

RELIEF

7. Keeping in view the aforesaid findings and discussion, I hold that the termination of the petitioner is illegal in view of Section 25-F of the Industrial Disputes Act, 1947. However, the petitioner is only entitled to the back wages to the extent of 20%. However, he is entitled to back seniority in accordance with law. Let a copy of this award be sent to the appropriate government for its publication in the H. P. Rajpatra.

Announced in the Open Court today this 1st day of March, 2001.

Seal.

ARUNA KAPOOR,
Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-
Labour Court, Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge
Himachal Pradesh Industrial Tribunal-cum-Labour
Court, Shimla

Ref. 170/99

Decided on 13-3-2001

Shri Govind Ram & Shri Tawaru Ram .. Petitioner.

v/s.

The Resident Engg. Baasi Power House HPSEC,
Jnagar, Mandi.

Reference under section 10 of the Industrial Disputes Act, 1947.

13-3-2001 :—

Present:—Sh. N. L. Kaundal AR for petitioner.
Sh. S. P. Sharma AR for the respondent.

The Ld. A R of petitioners has stated that one of the petitioners Sh. Tawaru Ram has expired. Further stated that petitioner Sh. Govind Ram and legal heirs of Sh. Tawaru Ram are not interested to pursue their claim.

In view of the statement made by the Ld. A R of the petitioners, the reference is answered in negative. Let a copy of this order be sent for publication in accordance with law.

Seal.

ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-
Labour Court, Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Ref. No. 62 of 1997
Instituted on 28-4-1997
Decided on 16-3-2001

1. Pawan Kumar

2. Chanan Singh .. Petitioner.

Versus

Managing Director State Industries Development
Corporation, Himachal Pradesh, Shimla
.. Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioners : Shri Sunder Singh, AR.

For respondent : Shri H. K. Sharma, Advocate.

AWARD

This reference has been received from the appropriate government regarding the validity of the termination of the petitioners.

2. In the claim petition, petitioners have alleged that they joined as daily wages beldars on 1-8-94 and 1-10-93 respectively with the respondent and continued till 30-4-95. Thereafter, their services were terminated without any notice, compensation etc. and therefore, which is illegal and they are entitled to be re-instated with seniority and back wages.

3. In the reply filed by the respondent, preliminary objection has been taken that petition is not maintainable as the services of the petitioners were not retrenched by the respondent. It is also alleged that he work against which the petitioner were employed has since been completed and persons who are junior most are being retrenched. Therefore they cannot be re-instated in service.

4. On merits, it is contended the petitioner worked till 1-5-1995 and had completed 240 days. However, the work was abandoned for one month and petitioners as well as other workers were asked to report for duty on 1-6-1995 & though 23 casual beldars reported back and were re-employed. Petitioners did not turn up and so they were not kept. It is submitted that since the petitioners themselves did not report for duty on 1-6-1995, therefore, they are not entitled to be re-instated in service. It is also emphasized that their services were not disengaged by the respondent. Hence that the petition be dismissed.

5. On the pleadings of the parties, my learned predecessor framed the following issues on 27-8-97:—

1. Whether the termination of the services of the petitioners ordered by the respondent is violative of section 25-F of the act on the grounds as alleged? ..OPP.
2. Relief.

FINDINGS

6. *Issue No. 1.*—As per the statements of the witnesses examined by the petitioner as well as by the respondent, it is proved that the petitioners were working with the respondent and had completed 240 days in the calendar year preceeding their disengagement. The facts further show that on 1-5-1995 the work was abandoned by the respondent and the petitioners as well as some other labourers were disengaged and were told to come back on 1-6-1995. Therefore, it cannot be said that on 30-4-1995, petitioners left the job on their own. There is nothing on record to show nor it has been proved by any oral or documentary evidence that petitioners had been employed for a specific period or for a specific work and their services came to an automatic halt on 30-4-1995. Therefore, technically, they were terminated by the respondent on 30-4-1995 and were assured that they will be re-engaged after a certain gap.

7. The contention of the petitioner is that the reported for job on 1-6-1995, but they were not given the employment. Only one of the petitioners Pawan Kumar has stepped into the witness box and the other petitioner has not made any statement on oath that he was not re-employed on 1-6-1995. On the other hand, respondent has examined five witnesses to prove their claim that the petitioners themselves did not report for duty on 1-6-1995 and so were not kept. The S. D. O. working at the relevant time Shri Vijay Sharma, two workers Bhag Singh and Punnu Ram and the present Deputy Manager, H. P. S. E. D. C. have stepped into the witness box to prove this contention. Shri Punnu Ram and Bhag Singh have stated that they were working a Gawalthai and they were about 40 persons working there. They have also mentioned that the work was abandoned on 30-4-1995 but they were called back on 1-6-1995. They have deposed that both the petitioner did not turn up on 1-6-1995. In the cross-examination, both of them have admitted that the houses of the petitioners are at a very short distance from the place of work.

8. No doubt, respondents have examined two of the co-workers to prove their contentions, but the facts remains that the workers are still in the employment of the respondent. So their version may not be independent because they are the still working with the Respondent and are themselves in need of job hence are not in a position to take a stand contrary to their employers. Moreover, since petitioners were working regularly till 30-4-1995 and work place was at a very short distance from their houses, there cannot be any reason for them not to report for duty along with others. Even otherwise, the material and date for the disengagement is 30-4-1995 and not 1-6-1994. Admittedly, the work was abandoned on that day and so the services were disengaged by the respondent and since the petitioners had completed 240 days in a calendar year preceeding their termination, they were entitled to the safeguards mentioned under section 25-F of the Industrial Disputes Act, i.e. a notice stating reason for their disengagement wages for one month in lieu of notice and the retrenchment compensation. None of these formalities were completed. Therefore, their disengagement on 30-4-1995 is illegal.

9. I am also of the opinion that the respondent has not been able to establish that the petitioners themselves did not appear for duty on 1-6-1995 and so they were not given the job. The petitioners had moved the appropriate conciliation authorities within a reasonable time. It further strengthens the case of the petitioners that they were willing to work, but were not given the work by the respondent.

10. The learned counsel for the respondent has also argued that since petitioner No. 2 has not stepped into the witness box, therefore, his case is not proved. I agree with this contention that petitioner No. 2 has not made the statement on oath that he in fact reported for duty on 1-6-1995 and Shri Pawan Kumar has not mentioned any thing about Chanan Singh being also present with him at the site of work on 1-6-1995. Therefore, as far as the petitioner Chanan Singh is concerned, his claim is not proved, but petitioner Pawan Kumar has been able to establish his termination as violative of section 25-F of the Industrial Disputes Act, 1947. I, therefore, hold that the claim petition qua Pawan Kumar succeeds, whereas with regard to Chanan Singh, it is rejected. The point is answered accordingly.

RELIEF

11. Keeping in view the aforesaid findings and discussion, I hold that the petitioner Pawan Kumar be re-instated in service with full back seniority. However, in the peculiar circumstances of the case, he is entitled to 20% of the wages. He has not stated by thing on oath that he was not gainfully employed during this period. Hence, the reference is answered in affirmative. Let a copy of this award be sent to the appropriate government for its publication in the H. P. Rajpatra in accordance with law.

Announced in the Open Court today this 16th Day of March, 2001.

ARUNA KAPOOR,
Seal Presiding Judge,
H.P. Industrial Tribunal-cum-Labour
Court, Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Ref. No. 198 of 1998

Instituted on 23-9-98

Decided on 16-3-2001

Shri Dole Ram son of Shri Gauri Dutt, Resident of
Village Goutu, Post Office Bilni, Tehsil Thunag, District
Mandi, Himachal Pradesh .. Petitioner.

Versus

The Executive Engineer, Irrigation & Public Health,
Sundernagar, District Mandi, Himachal Pradesh .. Respondent.

Reference under section 10 of the Industrial Disputes
Act, 1947.

For petitioner : Shri B. C. Singh, Advocate

For respondent : Shri Sohan Lal Gupta, A. R.

AWARD

This reference has been received from the appropriate government. Petitioner has alleged in the claim petition that he was employed as beldar in Irrigation & Public Health Division Thunag in 1987 and he worked upto July, 1989. Further that his services were terminated without any notice or compensation under Section 25-1 of the Industrial Disputes Act, 1947. Hence that the respondent be directed to re-engage him in the same place and in the same capacity.

2. In the reply filed by the respondent, preliminary objection that petition is not maintainable and it is time barred have been raised.

3. On merits, it is admitted that petitioner completed 240 days as beldar in 1988 and 189 days in 1989. However, that the services of the petitioner were not disengaged by the respondent, but the abandoned the job himself. It is also contended that the work on which

the petitioner was engaged was over during the year, 1990 and so he cannot be engaged now.

4. On pleadings of the parties, my learned predecessor framed the following issues on 18-11-1999:—

1. Whether the termination of the petitioner is illegal in view of Section 25-F of the Industrial Disputes Act, 1947? If so, its effect?..OPP.
2. Relief.

FINDINGS

5. *Issue No. 1.*—The petitioner has stopped into the witness box himself, whereas Shri Sohan Lal, Assistant Engineer appeared on behalf of the respondent. The statements reveals that the petitioner joined in July, 1987 and completed 240 days in 1988 and 189 days in 1989. However, the basic issue is whether the petitioner abandoned the job himself or he was disengaged. The contention of the respondent is that he did not come for the duty himself but they have also alleged that the work for which the petitioner was engaged was finished in 1990. The R. W. has admitted that no notice was served on the petitioner to resume his duties. He has also not been able to dispute that the persons junior to the petitioner are still engaged. He is also unaware whether any written or oral representation has been made by the petitioner or that he was assured that he will be kept as and when the work is available.

6. Petitioner on the other hand contended that his services were terminated and the persons like Jawahar Lal, Jayoti Parkash, Gopal Singh, Khem Raj, Rohsan Lal, Kishan Chand were employed. He has also tendered an affidavit Ex. PW-1/A ascertaining that the persons junior to him were given employment. He has also exhibited the copy of the notice Ex. PW-1/B, which he allegedly served on the respondent. In the affidavit Ex. PW-1/A, he was given specific date of re-engagement of Shri Kishan Chand, Roshan Lal, Khem Chand and Raj Kumar. This affidavit has not been controverted.

7. The statement of the petitioner on oath and the affidavit establishes that the work has not been completed in the year, 1990 as is being alleged by the respondent. Rather, new persons have been engaged sometime in the year, 1992-93. Therefore, this plea of the respondent fails as the specific affidavit filed by the petitioner in this regard has not been controverted and the statement of R. W. is vague and evasive. Moreover, the respondent has not been able to prove that the petitioner abandoned the job himself. Therefore, it appears that his services were disengaged without compliance of Section 25-F of the Act. I, therefore, hold that the petitioner is entitled to re-instatement with full seniority. However, since the petitioner slept over his right for a long period of 7 years and has not mentioned that he was not gainfully employed during this period, I hold that he is not entitled to back wages. Issue is decided accordingly.

RELIEF

8. Keeping in view the aforesaid discussions and findings, I hold that the termination of the petitioner is illegal and he is entitled to re-instatement with back seniority on as per law. However, he is not entitled to any back wages. The reference is answered in affirmative. Let a copy of this award be sent to the appropriate government for its publication.

Announced in the Open Court today this 16th Day of March, 2001.

Sd/-

ARUNA KAPOOR,
Presiding Judge,
H. P Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Case Ref. 64/91

Instituted on 8-12-1997

Decided on 16-3-2001

In re :

Shri Kapil Dev

.. Petitioner.

Versus

Chairman of the Board of Director of H. P. Small Industries and Export Corporation through Private Secretary to the Hon'ble Industries Minister of Himachal Pradesh and ors. .. Respondents.

Reference under section 10 of the Industrial Disputes Act, 1947.

For Petitioner : Shri J. C. Bharwaj, A. R.

For Respondents : Shri Bhuvnesh Sharma, Advocate.

AWARD

The present reference was initially received from the State of Himachal Pradesh vide its notification dated 8-8-91 and the following disputes were referred for adjudication under section 10 of the Industrial Disputes Act, 1947 :

1. Whether the action of the Managing Director Himachal Pradesh State Small Industries and Export Corporation Ltd. Shimla in transferring Shri Kapil Dev, Store Keeper on 2-2-84 and his placement as a clerk at the Headquarters is legal and justified if illegal, to amount of relief and compensation, Shri Kapil Dev workman is entitled to ?

2. Whether the demand of Shri Kapil Dev for the pay scale of Rs. 570—1080 from the Managing Director, Himachal Pradesh State Small Industries and Export Corporation Ltd. Shimla w.e.f. 4-8-80 (Date of appointment) to 1-2-1984 as Store Keeper is legal and justified ? If legal from what date the petitioner is entitled to the said payscale ?

2. The petitioner Kapil Dev has claimed that he was appointed as storekeeper in the year 1980 in the pay scale of Rs. 400—650. It is further submitted that requisitioned were sent by the respondent management for two posts i. e. one of Clerk and the other of Storekeeper after his name was sponsored by the employment exchange and he was ultimately issued appointment letter as store keeper in the pay scale of Rs. 400—600. It is submitted by him that the advertisement and interview letter carried the pre-revised pay scale of Rs. 160—400 which was later on revised to Rs. 570—1080. However, he was given lesser pay scale as per the appointment letter, so he represented against the same to the appropriate authority.

3. It is submitted that in the year 1984 seniority list was prepared and circulated where the petitioner has not been assigned the seniority due to him. So he made the representation but to no avail. Petitioner has now claimed that he should be given the pay of pre revised scale of Rs. 160—400 at the time initial appointment and all other consequential benefits.

The point of dispute which is required to adjudicated now as per the orders of the Hon'ble the High Court is however confined whether the placement in seniority of Shri Kapil Dev storekeeper as Clerk on his transfer/absorption at the headquarter on 2-2-84 is legal and justified.

the Head Office. It speaks that hence forth there will be a common cadre for the ministerial staff working in the Himtron Unit and the Head Office and specified the grades and the name of the post held prior to the formation of the common cadre and after the formation of the common cadre. It reflects that the persons designated as Store-keeper working in the Himtron will be re-designated as Clerk-Cum-Storekeeper and the pay scale of the Store-keeper working in the Himtron was revised from Rs. 400—650 to Rs. 400—600 under the designation of Clerk-cum-Store-keeper. This letter shows that before this Office order, there were two different cadres and the petitioner was working in Himtron, where his designation and pay scale were different than what was offered to him on merging of these two cadres. The question which now arises is on what terms and conditions the services of the petitioner were transferred to Head Office. Admittedly, there was no option given to the petitioner at the time of his transfer to the Head Office though it is mentioned by the respondent that this transfer was in fact to provide employment to the petitioner who would have been disengaged due to the closure of the Himtron unit. Needless to say that the petitioner was absorbed on the day when he joined the head Office in 1985, but he was given seniority from 2-2-1984 in view of this office order dated 2-2-1984. Petitioner has relied upon (2000) 1 SCC 644. The controversy before the Hon'ble Apex Court was regarding permanent absorption of the employees, who were working on deputation from the parent Department. Hon'ble the Supreme Court has held that question of equivalence between two posts cannot be resolved solely on the basis of pay scales. It has been held that though service rendered on the equivalent post in the parent department before the absorption in the deputationist Department counts for seniority and that equivoation of two posts does not solely depend upon the pay scales. It has been further observed that equivoation of posts has to be determined by taking into account the following facts (i) nature and duties of posts (ii) responsibilities and powers exercised by officer holding a post; extent of territorial or other charge held or responsibilities discharged; (iii) minimum qualifications, if any, prescribed for recruitment to the post; and (iv) salary of the post. In order to get the benefits of previous service i. e. from the date of initial appointment till the date of absorption as Clerk in the head Office, it was required to be established that the petitioner was working on a equivalent post and to determine this equivalence, the criteria fixed by the Hon'ble the Supreme Court had to be established. However, there is no material on record to show that these criteria as were fulfilled by the petitioner and there was equivalence in the two posts giving him the advantage of his earlier service. Since he was absorbed in the clerical cadre by virtue of his joining the Head Office, therefore, he is entitled to his seniority from that day and he has been given seniority by the department vide its seniority list circulated on 23-3-1984. He has been shown at Sl. No. 23 taking his appointment in the Clerical cadre on 2-2-1984, all other respondent from 6 to 25 are appointed against the post of a Clerk much prior to the petitioner. Therefore, appropriate seniority has been given to him. I, therefore, hold that the petitioner is not entitled to the seniority over and above Respondent 6 to 25 and he has been rightfully place at Sl. No. 23 in the seniority list dated 13-3-1985. I, therefore, decide these issues against the petitioner.

RELIEF

22. Keeping in view the discussions made above, I answer the reference holding that according to the Managing Director, Himachal State Small Industries and Export Corporation Ltd., Shimla in transferring Shri Kapil Dev on 2-2-1984 and placing him as a Clerk at the Headquarter is legal and justified and he is not entitled to any relief and compensation. I further hold that the demand of Shri Kapil Dev for the pay scale of Rs. 570—1080 from the Managing Director, H. P. Small scale Industries and Export Corporation w. e. f. 4-8-1980 to 1-2-1984 as Store-keeper is illegal and unjustified. The reference is answered accordingly. Let a copy of this award be sent to appropriate Government for its publication in the Himachal Pradesh Rajpatra.

Announced in the open Court to day this 16th March 2001.

Seal.

ARUNA KAPOOR,

Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Ref. No. 3 of 1996

Instituted on 4-4-1996

Decided on 17-3-2001

Shri Bhag Singh s/o Shri Lachman Singh, Village
Miapur, P. O. Kajheri, Tehsil Kharar, District Ropar
Punjab

Petitioner.

Versus

Bharat Petrofoam Company Private Ltd. Barotiwala,
District Solan, Himachal Pradesh, Through its Managing
Director.

Respondent.

For Petitioner: Shri Hem Raj, AR.

For respondent: Ex-parte.

AWARD

1. This reference has been received from the appropriate Government. The petitioner has mentioned in the claim petition that he was working as a driver with the respondent from 1984 till 20-7-1994 and he was an active member of the Trade Union. Therefore, in order to victimize him, transfer order was served on the petitioner ordering him to join duties at Delhi instead of Barotiwala. The petitioner being aggrieved by this order raised an Industrial Dispute. However, no settlement could be arrived at and the matter was referred to this Court. Petitioner has alleged that he has been victimized by the respondent for Trade Union activities and has been transferred to punish him.

2. Order sheet reveals that though the respondent was served and certain persons were putting in their presence on behalf of the respondent as its ARS, yet neither any reply was filed nor any other steps to defend the claim were taken. The order sheet dated 11-3-1999 reveals that a lady advocate Mrs. Veena Sood put in her appearance on behalf of the respondent and took time for moving an application for setting aside the ex-parte, but thereafter, did not take any steps. Then the ex-parte which were done by my learned predecessor continued. Ex-parte evidence was examined. Petitioner has filed an affidavit in support of his claim alongwith certain documents like the transfer order and the representations made by him to the management from time to time.

3. In his affidavit, petitioner has alleged that he was working as a driver and was indulging in Trade Union activities which probably annoyed the management and to punish him, he has been transferred to Delhi. He has also mentioned that there is no unit or work in Delhi except the Head Office where the managerial staff operates and so he has been transferred with mala fide objectives and therefore the order be quashed.

4. Since neither the claim made in the petition nor the affidavit filed by the petitioner have been controverted despite knowledge of the allegation. Therefore, it seems that the allegations made by the petitioner of his transfer being by way of a punishment due to trade union activities have to be accepted. Further the petitioner has sworn that he has been employed as a Driver and in Delhi, there is no unit or work for him, but despite that he has been transferred by way of punishment. In view of these uncontroverted and unrebutted allegations, I hold that the petitioner's transfer is mala fide and is required

to be quashed. I, therefore decide this reference in favour of the petitioner holding that the transfer order issued by the management of M/s. Bharat Petrofoam Company, Barotiwala on 20-7-1994 are illegal and bad and are liable to be quashed. Petitioner is entitled to be transferred back to Barotiwala. Hence, the reference is answered in affirmative. Let a copy of this award be sent to the appropriate Government for its publication in the Himachal Pradesh Rajpatra in accordance with law.

Announced in the open Court today this 17th day of March, 2001.

Seal.

ARUNA KAPOOR,

Presiding Judge,

H. P. Industrial Tribunal-cum-Labour Court, Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge,
Himachal Pradesh, Labour Court, Shimla

Ref. No. 41 of 1999

Instituted on : 4-3-1999

Decided on : 19-3-2001

S/Shri Roshan Lal, Ravi Dutt and Brij Lal ... Petitioners

Versus

Executive Engineer, Parwati Invest Division, No. II, H.P.S.E.B., Sarabai Bhunter Kullu, Himachal Pradesh
... Respondent,

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioners : Shri N. L. Kaundal, AR.

For Respondent : Shri Raj Kumar, AR.

AWARD

This reference has been received from the appropriate Government with regard to the termination of the services of petitioners Roshan Lal, Ravi Dutt and Brij Lal. Petitioners in their claim petition have mentioned that they were working as daily waged beldars in Uhl Project, Construction Division, Jogindernagar and continued to do so till their services were terminated orally without compliance of the provisions of section 25-F and N of the Industrial Disputes Act, 1947. It is also contended that the principle of last come first go was not adhered to. Hence, their termination is illegal. Petitioners also alleged that a legal notice was sent through an advocate in 1996 and reply was received in which certain information had been sought from them and all the relevant documents and information was accordingly sent to the respondent, but to no avail. Thereafter, demand notice was served on the respondent. It is submitted that the petitioners be reinstated in service with full back wages and seniority as their termination is illegal.

2. In reply filed to these claim petitioners it is submitted that the petition is bad in law for non joinder of necessary parties. Secondly it is barred by limitation and lastly that material facts have been suppressed by the petitioners. Hence, they are not entitled to the relief. The respondents however admitted that the petitioners were working with them as per the document Ex. R-1. However, that their services were not terminated, but they left the job themselves. It is also mentioned that uninterrupted 240 days service was not performed by any of the petitioners in any of the calendar year. Hence, they are not entitled to any relief. It is also submitted that information as was sought were not supplied by the petitioners. The reply is supported by Annexure R-1 with regard to the actual working days of petitioner No. 1. Roshan Lal.

3. On the pleadings of the parties, the following issues were framed on 3-5-2000 :-

1. Whether the petitioners are entitled to the benefits as claimed in the petition *OPP*.
2. Whether the petition is not maintainable as alleged ? *OPR*.
3. Relief.

FINDINGS

4. *Issue No. 1.*—Petitioners Roshan Lal and Brij Lal have appeared in the witness box and their statements have remained un-rebutted as they were not cross-examined by the respondent. Respondent was proceeded against *ex parte* though it was properly served and had been attending the Court in the past. In the statement, petitioner Roshan Lal has mentioned that he worked from 7-9-1989 to 20-9-1990 and he worked for 240 days in the calendar year. He has relied on the document Ex. P. A. which is Annexure R-1 filed by the respondent. He has also mentioned that the muster roll issued on 21-9-1990 did not reflect his name which shows that his services were disengaged by the respondent. He has also mentioned that he met Division Incharge and he was called to the office *vide* letter Ex. PD. He further mentioned that he was told that work has finished in 1990. However, that work has re-started in 1992. Therefore, he may be re-instated.

5. Similarly, Shri Brij Lal has mentioned that he worked from 17-10-1988 to 20-4-1991. He worked for more than 240 days and his services were terminated without any notice or compensation. He has exhibited the muster roll Ex. PF, PG, PH and PJ regarding his working days. The third petitioner namely Shri Ravi Dutt has not been examined nor any documentary evidence pertaining to him has been exhibited.

6. In view of the un-rebutted statement of Shri Roshan Lal coupled with the documents and statement of Shri Brij Lal coupled with the muster rolls, it is established that petitioners have worked for more than 240 days in the calendar year preceeding their disengagement but the respondent has not been able to prove that the disengagement was due to the abandonment of the job of the petitioner as no evidence has come in this regard. Therefore, I hold that the services of the petitioner Roshan Lal and Brij Lal were terminated without complying with the provisions of section 25-F of the act and they are entitled to be re-instated in service. However, the petitioners did not agitate the matter from 1990 till 1996 and slept over their right for six year. In these circumstances, they are not entitled to the back wages though they are entitled to the seniority as per law. I, therefore, decide this issue accordingly.

7. *Issue No. 2.*—Respondent has taken the objection that petition is not maintainable, but no evidence has been led to prove this aspect of this case. It has been submitted that certain material facts have been suppressed, secondly that the petition is bad in law for non joinder of the necessary parties and lastly that it is barred by limitation. However, no oral or documentary evidence has been produced to prove these aspects. Law of limitation is not applicable. Suppression of material facts is also not made out and it is not established that the petition suffers from non joinder of the parties. Therefore, the issue is decided against the respondent.

RELIEF

8. Keeping in view the aforesaid findings and discussion, I hold that the termination of the petitioner Roshan Lal and Brij Lal is illegal and I hold that they be re-engaged in service with full back seniority but without back wages. Reference is answered accordingly in affirmative. Reference given by Ravi Dutt is answered against him for lack of evidence. Let a copy of this award be sent to the appropriate Government for its publication.

4. Respondent management has rebutted the claim of the petitioner by alleging that petitioner had been given the pay on the pattern of Himtron workers. He was issued the appointment letter and specifically the pay scale of Rs. 400-650 was offered to him, which he accepted. Therefore he was absorbed in the Head Office as a Clerk and the scale prevalent in the Head Office of a Clerk was given to him. Therefore he is not entitled to any monetary benefits of higher pay scales or seniority as seniority has been rightly fixed by the respondent.

5. On the pleadings of the parties, my learned predecessor framed the following issues:

1. Whether the transfer of Shri Kapil Dev, petitioner from the post of storekeeper to the post of clerk w. e. f. 2-2-84 is illegal and unjustified? (O.P. Purles)
2. Whether the petitioner is entitled for the pay of the storekeeper w. e. f. 4-8-1980 to 1-2-1984? O.P.P.
3. Whether the petition is not maintainable as alleged? O.P.R.
4. Relief.

6. *Vide* the award of my Id. predecessor dated 25-7-92, petitioner was held entitled to the pay scale of Rs. 160-400 (pre-revised) w. e. f. 4/89 and it was ordered that he be paid the arrears within one month. He was also awarded all subsequent revisions in the pay. It was also held that petitioner could not be shown in the seniority list of the clerks and he will be deemed to have been appointed as storekeeper in the pay scale of Rs. 160-400 as per record.

7. The matter came up before the Hon'ble High Court of Himachal Pradesh by way of C.W.P. No. 144/93. The Hon'ble High Court quashed the orders passed by my Id. predecessor *vide* its judgement dated 27-12-95. It was held by the Hon'ble High Court that at the time of appointment, petitioner Kapil Dev could have refused the offer made to join as storekeeper in the pay scale of Rs. 400-660 (Revised). It was further observed that the petitioner not only accepted the job offer but furnished the necessary bonds as required by the management. Therefore, he is not entitled to make this grievance. It was also observed by the Hon'ble High Court that since the unit of the respondent namely Himtron where petitioner Kapil Dev was initially employed had been closed. Therefore, in order to provide him employment, he was re-designated as clerk-cum-storekeeper in the head office in order to meet the social obligation towards him because otherwise since the unit had been closed and there was no post of storekeeper in the Head Office at Shimla, where petitioner had been transferred, so his service could have been dispensed with at that time in accordance with law. Hon'ble High Court also dispelled the theory of equal pay for equal work in the present case of the petitioner holding that in view of the inherent limitation enshrined there the doctrine of equal pay for equal work, was not attracted and petitioner was not entitled to the pay scale of storekeeper prevalent in the other office. By the orders the Hon'ble High Court, therefore, the orders passed by this Court were quashed.

8. The petitioner thereafter filed a special leave to appeal before Hon'ble Supreme Court but later on withdrew it with the liberty to file review petition before the Hon'ble High Court and the matter was adjudicated upon again on 5-11-1997.

9. It has been mentioned in the order of the Hon'ble High Court in the review petition that petitioner Kapil Dev had confined his claim regarding his seniority viz-a-viz his juniors and Hon'ble High Court observed that in the interest of justice the petitioner is entitled to appropriate place in seniority list of clerks on his transfer from Himtron to head office where he was re-designated as Clerk-cum-Storekeeper. Accordingly, it was observed;

"taking into account totality of the facts and circumstances of the case, we feel that the

claim of the petitioner regarding assigning his appropriate place in the seniority of clerk in the Head office of the Respondent No. 1 needs to be adjudicated upon and thereafter assign him his rightful place in the concerned list, accordingly, this review petition is allowed and consequently the writ petition is restored to its original position.

Since we have taken the view that the petitioner is entitled to his assignment of his proper place in the seniority list of clerks from the date he was transferred to the Head Office. The matter is ordered to be remanded back to the Labour Court, Himachal Pradesh, Shimla with the direction to adjudicate the claim of the petitioner regarding his placement in the seniority list of clerks maintained by respondent No. 1, after he had been transferred to Head Office from Himtron factory. It is further ordered that the petitioner shall implead such other persons as respondents before the Labour Court above whom he claims to be placed in the seniority list. It is made clear that except for being assigned his proper place in the seniority list he shall not be entitled to any consequential monetary or other benefits. Subject to the aforesaid, the writ petition is also disposed of without effecting the judgement already given in CWP 144/93 in manner. Costs on the parties."

10. As a consequence, the matter has been received on remand. As per the orders of the Hon'ble High Court petitioner amended his claim petition and added respondent No. 6 to 25 over whom he is claiming seniority. Notices were issued to all the respondents who were added and they filed reply in three different groups i. e. respondent No. 8, 12 and 18 filed the reply jointly, respondent No. 7, 9, 11, 13 to 17 filed another set of reply and respondents No. 21 to 25 filed third set of reply to the claim petition. Other respondent chose not to file any specific reply to the allegations made in the amended claim petition. However, despite three sets of reply identical difference pleas have been raised by the respondents. They have raised the preliminary objections that since petitioner was absorbed in the respondents corporation only in the year 1984, He can not be placed above the replying respondents, and further that seniority list circulated on 13-3-1984 is correctly prepared and the petitioner has been rightly placed at serial No. 23. It is further submitted that Hon'ble High Court had held that petitioner can be given seniority only from the date of his absorption in the respondents corporation and in fact petitioner was absorbed only in March, 1985. So in fact he was entitled to seniority from that date, but the respondent corporation has taken a lenient view and has given him the seniority w. e. f. 2-2-1984.

11. On merits respondents have taken the place that all other claims of the petitioner have already been adjudicated upon and rejected by the Hon'ble High Court except the claim of seniority viz-a-viz the date when he was absorbed in the Head Office. Yet it is submitted that petitioner was given appointment of storekeeper in the Himtron factory in the pay scale of Rs. 400-650 with fixed allowances which he accepted. Thereafter, the Storekeeper working in the Himtron were ordered to be placed in the pay scale of Rs. 400-600 with allowances as admissible to the employees of the corporation *vide* order dated 2-2-1984 and therefore, the petitioner who was absorbed as clerk was given this pay scale and seniority w. e. f. 2-2-1984. It is submitted that petitioner is not entitled to the seniority from the date prior to 2-2-1984 as he was not working in this cadre before that date. Hence that the claim of the petitioner deserves to be dismissed.

12. On the pleadings of the parties following additional issues were framed on 22-12-2000:

- 3 A. whether respondents 8, 12 & 18 joined the corporation before joining the services by the petitioner on his initial appointment as storekeeper on 4-8-80 if so its effect? . . . O.P.R.
- 3 B. Whether the petitioner is entitled to be placed in the seniority list of clerks only from the date he was transferred i. e. on 20-3-1985/2-2-1984 as alleged? . . . O.P.R.
- 3 C. Whether the petitioner has been rightly placed at serial No.23 in the seniority list as alleged? . . . O.P.R.
4. Relief.

13. It is apparent that except the determination of the seniority of the petitioner on the date when he joined the Head Office on transfer from Himtron, all other points received for adjudication have been adjudicated upon finally by Hon'ble the High Court. Therefore, the findings on the issue framed initially and framed subsequent to the remand are as follows :

FINDINGS

14. *Issue No. 1.* Since Hon'ble the High Court has already held vide its order on the review petition that petitioner has given up the claim except the claim of seniority *vis a vis* the clerks working in the Head Office, Therefore, the question whether transfer of Shri Kapil Dev from the post of Storekeeper to the post of Clerk *w. e. f.* 2-2-1984 is illegal does not need any further adjudication. Hon'ble the High Court has held in its order dated 27-12-1995 are as follows :—

"We are of the view that the respondent No. 1 could have either refused at the time when the offer was made to him in the pay scale of Rs. 400-650 with fixed allowances and after having not only accepted the same and joined the service, but also having furnished the necessary bond as required by the management, he is not entitled to make any grievance. It is further pointed out that this bond was shown during the course of hearing on behalf of the petitioner-corporation and execution and submission thereof was not controverted by respondent No. 1. Further this submission of the learned counsel for the petitioner that since the unit of the petitioner i. e. Himtron, where respondent No. 1 was employed at Chambaghat (Solan), has since been closed, as such in order to provide him employment and not leave him high and dry, the petitioner had re-designated him as clerk-cum Store Keeper keeping in view its social obligation towards its employees like respondent No. 1. Otherwise since the unit had been closed and there was no post of store keeper in the Head office at Shimla, where respondent No. 1 had been transferred, his services could be dispensed with at that time in accordance with law".

15. So, in view of these findings of the Hon'ble the High Court, Issue is decided against the petitioner and in favour of the respondent.

16. *Issue No. 2.* In view of the findings returned on Issue No. 1, the petitioner is not entitled to the pay of Store-keeper i. e. Rs. 160-400 (Pre-revised) from 4-8-1980 to 1-2-1984. The issue is decided against the petitioner.

17. *Issue No. 3.*—No arguments have been addressed on this issue. The petitioner is otherwise maintainable as it is with regard to the plea of anomaly of pay scale and seniority of the petitioner. Hence, the issue is

decided in favour of the petitioner and against the respondent.

18. *Issue No.3A.* In pursuance of the order of the Hon'ble the High Court, petitioner had joined Respondent No. 6 to 25 as the officials over whom he is claiming seniority. Respondent No. 8 Sushil Kumar, Respondent No. 12, Atma Ram Bhardwaj and Respondent No. 18 Shri Surinder Dutt Bhardwaj have taken the plea that they were appointed in the Head office even prior to the initial appointment of the petitioner on 4-8-1980. The list which was circulated on 13-3-1984 reflecting the seniority list of the Clerks reveals the initial date of appointment of Shri Atma Ram shown at Sl. No. 6 and Shri Surinder Dutt Bhardwaj shown at Sl. No. 12 as 22-3-1978 and 7-4-1979 respectively. The name of Shri Sushil Kumar, however, is not reflected in this list. The date of appointment of these persons have not been specifically challenged by the petitioner. Meaning thereby that as per list these persons have been appointed as Clerks even before the initial appointment of the petitioner as Store-Keeper. By no stretch of imagination, the petitioner can claim seniority over them. I may also add that as per this list, all the person shown at Sl. No. 1 to 13 have been appointed as Clerks before the initial appointment of the petitioner i. e. prior to 4-8-1980 when the petitioner had joined the Himtron unit. Therefore, the petitioner cannot claim seniority over them and the issue is decided against the petitioner.

19. *Issue No. 3B & 3C.* Both these issues are being taken up together for disposal as they relate to the common question of law and fact.

20. The Hon'ble High Court has held that petitioner though was called for an interview of Store keeper in a higher pay scale, but he was offered a lower pay scale in the appointment letter and since, he accepted the offer made in the appointment letter, without any reservations and in fact furnished a bond as per the conditions of the appointment. Therefore, he cannot claim un-revised pay scale of Rs. 160-400. It has also been held by Hon'ble the High Court that transfer of petitioner from Himtron to Head office was in fact for the benefit of the petitioner. Since the unit of Himtron was closing down and petitioner would have been on the road, had he not been absorbed in the Head Office against the post of Clerk. Therefore, the Hon'ble the High Court has held that transfer of the petitioner from Himtron to Head office on revised designation of Clerk cum-Storekeeper in the pay scale of Rs. 400-600 is legal and justified and is purely in pursuance of the social obligation of the employer towards the employee. Therefore, these point which have already been adjudicated upon cannot now be gone into. The only question which remains for consideration is whether the petitioner has been given the rightful seniority in the seniority list circulated on 13-3-1984. It is admitted that the petitioner joined in the Head Office on 20-3-1985. Letter dated 19-3-1985, issued by officer on Special Duty Shri R.C. Bhatnagar can be referred in this respect. Another letter which is relevant is dated 2-8-1984 which has been issued by the General Manager and is Ex. Kx-3. For the purpose of clarity, I will reproduce the contents of this office order.

"The question of bringing the ministerial staff posted at Himtron, Solan which unit is a part and parcel of this Corporation in the common cadre of this corporation has been under consideration for some time past. After careful consideration, the M. D. is pleased to order that hence forward the placing ministerial staff working in the said unit will form common cadre with that of Head office and other units of the Corporation. Accordingly, the officials working against these posts shall be entitled to the scales of pay and allowances etc. applicable to similar post in this Corporation from time to time."

21. This letter clearly speaks of forming a common cadre of the ministerial staff working in Himtron and in

Announced in the open court today this 19th day of March, 2001

Sd/-

ARUNA KAPOOR,
Presiding Judge, H. P.,
Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Mrs. Aruna Kapoor, Presiding Judge,
H. P., Industrial Tribunal-cum-Labour Court, Shimla

Ref. No. 22 of 1999

Instituted on : 17-2-99

Decided on : 10-3-2001

Shri Nanda Ram son of Shri Shobha Ram, resident of
Village Daudiwala, P. O. Amboya, Tehsil Paonta Sahib,
District Sirmaur (H. P.) ... Petitioner.

Vs.

1. The Conservator of Forests, Nahan, Circle
Nahan District Sirmaur, H. P.

2. The Divisional Forest Officer, Paonta Sahib,
District Sirmaur, H. P.

Reference under section 10 of the Industrial Disputes
Act, 1947.

For petitioner : Shri A. K. Gupta, Advocate.
For respondent : Shri Surat Singh Tomar, AR.

AWARD

1. This reference has been received from the appropriate Government. The claim petition filed by the petitioner reveals that he was working as daily waged beldar in the Forest Department at Paonta Sahib w. e. f. March, 1984 and his services were dispensed with in December, 1987 without complying with the mandatory provisions of section 25-F of the Industrial Disputes Act, 1947. It is also contended that the persons junior to him were retained in service and also fresh engagements were made and violation of section 25-G and H of the Act, has also been committed. It is submitted that petitioner has worked for more than 240 days in a calendar year before his disengagement. Hence, he may be re-engaged with full back seniority and back wages.

2. In the reply filed by the respondents, it is mentioned that the petitioner left the work on his own without any intimation to the respondent. Therefore, he was not entitled to any compensation or other dues. Further the petitioner agitated the matter after a gap of 10 years. Hence his claim is barred by limitation.

3. On merits, it is contended that the petitioner worked from May, 1984 to September, 1987, but thereafter left the work on his own. Hence, petition deserves to be dismissed.

4. On the pleadings of the parties, my learned predecessor framed the following issues on 2-9-99:-

- Whether the termination of the petitioner is illegal in view of Section 25-F of the Industrial Disputes Act, 1947? If so, its effect?
- Relief

FINDINGS

5. *Issue No. 1*:-To prove his claim petitioner has stepped into the witness box and mentioned that he was working on daily wages from 1984 to 1988 and though fictional breaks were given to him, he completed 240 days but his services were terminated, whereas some of the persons like Jull Ram, Kashmit, Surant Singh, Prem Singh, etc. were retained. He has however, mentioned

that no appointment letter was given to him. He has also mentioned that he made oral representations. He has relied upon document Annexure AR-1 wherein the respondent themselves have shown him to have worked for 245 days in 1984, 362 days in 1985 and 360 days in 1986. Rather Annexure AR-1 shows that till September, 87 he has worked continuously.

6. The respondent has examined Shri Rajmal Forest Guard who has mentioned that Nanda Ram was working there, but he left the job on his own. He has also mentioned that the work was still going on when he left the job. He has also mentioned that he was called back through a local person to join, but he did not do so. However, he does not remember the person through whom the message was sent.

7. The evidence which has come on record is that the petitioner was working regularly from 1984 to September, 1987 and had completed more than 240 days of work in each calendar year preceding his disengagement. The main controversy the petitioner has abandoned the job himself or he has been terminated. Both petitioner and the respondents have set-up contrary claims. However, the record does not show that after the petitioner abandoned the job allegedly, he was served with any notice to join back or to explain his misconduct for remaining absent from duty. There is otherwise no evidence that the petitioner did not turn up for work after September, 1987. Therefore, in view of the statement of the petitioner on oath, I hold that the petitioner did not leave the work himself, rather his services were terminated.

8. The next question which has been argued is that the petitioner did not chose to report for 10 long years. Hence, the claim is barred by time. Since law of limitation is not applicable to the Industrial Dispute, therefore, technically petitioner cannot be rejected on the ground of limitation. However, the petitioner has slept over his right for last 10 years, therefore, he cannot be entitled for the back wages though he is entitled to the seniority as per law. I, therefore, hold that the petitioner is entitled to re-instatement as his termination is in violation of Section 25-F of the Industrial Disputes Act, 1947 being without any retrenchment compensation, show cause notice or pay for the notice period, but petitioner is not entitled to the back wages though he is entitled to seniority as per the law. Issue is decided accordingly.

RELIEF

9. Keeping in view the aforesaid findings and discussions, I hold that the termination of the petitioner is in violation of Section 25-F. I, therefore, hold that the petitioner is entitled to re-instatement with full back seniority, but without back wages. Reference is answered in affirmative. Let a copy of this award be sent to the appropriate Government for its publication in the Himachal Pradesh, Rajptra in accordance with law.

Announced in the Open Court today this 19th Day of March, 2001.

Sd/-

ARUNA KAPOOR,
Presiding Judge,
H. P., Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Presiding Judge, H. P., Industrial
Tribunal-cum-Labour Court, Shimla

Shri Dharminder Singh

Vs.

M/s. B.C.C. Faba Ltd., V. & P.O. Nangal, Tehsil
Nalagarh District Solan.

20-3-2001; Present : Shri J. C. Bhardwaj, A. R. For
Petitioner.
Shri Rajnish Maniktala For
Respondent.

The Petitioner and the Management have Settled their
claim outside the Court. The Memorandum of Settlement
has been placed on record as Ex. P. A.

As per the Settlement Ex. P. A. which has been re-
gistered with the Conciliation Officer, the respondent has
paid Rs. 10,000/- towards Full and final Settlement
which has been accepted by petitioner. The petitioner
has left his claim for reinstatement.

In view of Settlement Ex. P. A. The reference does
not survive and is answered accordingly. Let a copy
of this order be sent for publication in accordance
with law.

Seal. Sd/-
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh, Industrial Tribunal-cum-
Labour Court, Shimla

Ref. 203/98

Decided on : 21-3-2001

Shri Anant Ram ..Petitioner.

Vs.

M/s. Hotz Industry Pvt. Ltd. Prop. of Alasia Hotel
Kasauli, District Solan ..Respondent.

Reference Under Section 10 of the Industrial Dispute
Act, 1947.

21-3-2001 Present : None.

Case has been called repeatedly. None has appear-
ed. Hence reference is decided against the petitioner
for non-prosecution.

Seal. ARUNA KAPOOR,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Presiding Judge, H. P. Industrial
Tribunal-cum-Labour Court, Shimla

Shri Vijay Rattan

Vs.

M/s. Jaysons Laboratories (P) Ltd., Parwanoo.

21-3-2001; Present : None.

Reference was received from the appropriate Govern-
ment. However, neither the petitioner nor the respondent
have appeared despite service as per the report received.
The reference has been sent with regard to 34 workers

and though the reference mentions the list of workers
is included, but no such list has been tagged with the re-
ference. All the petitioners have been given one address
of service i. e. Shri Vijay Rattan and 34 ors c/o Shri
Vijay Rattan, Rattan Voyyshe 206/2, Bye Pass Road,
Solan. Himachal Pradesh Services has been affected or
Shri Vijay Rattan through affiliation as per report recei-
ved from the office of the Chief Judicial Magistrate
Solan. However, none has appeared today despite case
being called thrice. Similarly, the respondent has also been
served through affiliation but none has appeared on their
behalf as well. Therefore, the reference is being answered
in negation for non prosecution of the case as des-
pite opportunities none appeared. Let a copy
of this order be sent to the appropriate Government
for its publication in the Rajpatra in accordance with
law.

Seal. Sd/-
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Smt. Aruna Kapoor, Presiding Judge,
Himachal Pradesh Industrial Tribunal-cum-Labour Court
Shimla

Ref. No. 48/95

Instituted on 7-12-1995

Decided on 31-3-2001

In re :

Rajinder Singh, Driver c/o Ravinder Kumar, General
Secretary, C. F. J. V. Workers Ekta Union (C. I. T. U.),
P. O. Sholding Bhawa Nagar, District Kinnaur, Himachal
Pradesh .. Petitioner.

Versus

Continental Foundation Joint Venture (C. F. J. V.)
H/o Sholding, Bhawa Nagar, District Kinnaur, H. P.-
172115 through it's Project Manager .. Respondent.

Reference under section 10 (1) of the Industrial
Disputes Act, 1947

AWARD

Shri Hem Raj, A. R. for Petitioner.

Shri Rajnish Maniktala, Adv. for respondent.

1. This reference has been received from the appro-
priate Government regarding the termination of
the services of Shri Rajinder Singh, Driver by Conti-
nental Foundation Joint Venture, Head Office Sholding
allegedly for not affording him opportunity to defend
hisself.

2. In the claim petition, petitioner has alleged that
he was appointed as Driver on 30-3-94 on the monthly
salary of Rs. 1350/- and was also paid project allowance
(@ 30% and difficult area allowance @ 25% on the
said wages by the respondent. Further that a Union in
the name and style of C. F. J. V. Workers Union was
formed in December, 1994 and was duly registered.
Petitioner was elected as Vice-President of the Union.
It is contended that petitioner was dismissed from service
vide letter No. 232/NJR-741, dated 8-3-95 on the charges
of using abusive language and manhandling co-workers
and seniors. Accordingly industrial dispute was raised,
but the efforts of the conciliation-cum-labour Officer
failed due to adamant attitude of the respondent.

FINDINGS

3. Petitioner alleges that dismissal order has been passed without serving any chargesheet, without providing showcause notice, list of witnesses and he has been condemned unheard. Hence the dismissal orders are illegal and void and liable to be set-aside and petitioner is entitled to re-instatement with consequential relief of back wages and seniority etc.

4. In reply filed by the respondent it is admitted that petitioner was appointed as Driver on 30-3-94. However that there was a stipulation that he will be on probation for a period of six months which may be extended at the discretion of the management and unless until he was confirmed by a specific letter he would be deemed to be on extended probation. Factum of the formation of the union by the workers is not disputed. It is submitted that petitioner was in the habit of creating nuisance and he often indulged in fighting and abusing the management. He was also found to be in state of intoxication many a times. A show cause notice was issued to him even on 23-9-94. However, on the apologies tendered by the petitioner lenient view was taken and no action was taken against him.

5. Thereafter on 12-1-1995 petitioner under the state of intoxication while driving the vehicle of the management parked it wrongly in Bhawa Nagar Market. He was also found abusing and creating nuisance in the state of intoxication. He was driving the vehicle without driving licence. The vehicle was impounded by the police and the accused was taken in custody and was got medically examined. Medical examination confirmed that petitioner was under the influence of alcohol. Therefore, show cause notice was issued to the petitioner but instead of replying to the show cause notice petitioner put counter queries to the respondent.

6. It is further alleged that on 22-2-95 petitioner misbehaved with Mr. Allen Rampell, when he tried to intervene in the altercation between petitioner and one Mr. P. K. Tyagi. Petitioner allegedly pushed Mr. Allen Rampell and threatened to strike him. In this regard complaint was made in writing by Mr. Tyagi and Mr. Ken and also by Mr. Allen Rampell. Matter was enquired into by the Assistant Manager. However, the petitioner refused to give any explanation in writing. It is submitted that petitioner was put under suspension for four days, but he threatened the management that in case no decision is taken, all the work of the project will be stopped. It is submitted that petitioner refused to accept the letter of suspension from Mr. Ken and on 7-3-95 when Mr. Ken was coming to the camp, petitioner stopped his vehicle and misbehaved with him and he tried to beat him, Mr. Ken was saved by a security Guard on duty. It is submitted that on a number of occasions petitioner misbehaved with his superiors and was found under the influence of liquor and therefore, since he was on probation and he was guilty of misconduct therefore his services were terminated vide letter dated 8-3-95. It is submitted that the management was within its right to dismiss the petitioner from service.

7. Rejoinder was also filed where in the facts of the statement of claim have been reiterated.

8. On the pleadings of the parties, my learned predecessor framed the following issues on 8-8-96:—

1. Whether the termination of the services of the petitioner is illegal, un-lawful and contrary to the rules of natural justice, equity and fair play as alleged? OPP.

2. Relief.

9. Evidence was led by the parties. An application was also filed by the management to lead evidence on merit to prove the misconduct of the petitioner in case the court came to the finding that the services of the petitioner could not be terminated without legal and proper enquiry. Applicant respondent was allowed to lead evidence in the court regarding the misconduct. Arguments were heard.

10. Issue No. 1. The factum of the appointment of the petitioner as Driver and his dismissal vide a written order is not disputed. The submission of the learned counsel of the respondent is that as per appointment letter Ex. RA (Clause-1-2), petitioner was appointed on probation for a period of six months which could be further extended at the discretion of the management and would continue till he is confirmed. It is submitted that since no letter of confirmation was issued in favour of the petitioner, he was deemed to be on extended period of probation and as per the conditions of his appointment letter his services could be discontinued without holding any enquiry etc. Therefore, the arguments of the learned counsel of the respondent is that the petitioner was dismissed as he was not able to complete the probation period satisfactorily. His next argument is that petitioner was found guilty of misbehaving and abusing his superiors. He was also found under the influence of liquor while discharging his duties as a driver and was also arrested by the police. Medical examination proved that he was under the influence of liquor. It is also submitted that the complaints which were made by various superior officers of the petitioner are on record which prove that the petitioner was guilty of misbehaving with them and had been warned often, therefore his services were terminated on 8-3-95.

11. By moving an application under section 11-A of the Industrial Disputes Act, the respondent sought to prove the misconduct of the petitioner in the court in case it was held that no proper enquiry was conducted against the petitioner though the same was warranted.

12. The arguments of the petitioner on the other hand is that all the complaints against him have been manipulated as he was the Vice-President of the workers union. His contention regarding the incidence of 12-1-1995 while he was allegedly found under intoxication and was challenged by the police is that he was off duty and police in connivance with the management had falsely implicated him as he was indulging in union activities. It has further been submitted that all the complaints which have been placed on record are procured documents in order to victimized him for his union activities. Therefore, he is entitled to reinstatement and all other consequential benefits.

In order to prove the case, petitioner has stepped in the witness box and has relied upon the statements of two other PW's namely Shri Ravinder Kumar and Rakesh Singha. Shri Ravinder Kumar has proved the copies of certified standing orders of CFJV whereas Shri Rakesh Singha who was the President of CITU has stated on oath that some workmen had come to him with a complaint of alleged beating and misbehaviour by the police with Rajinder Singh. So he had represented to the Government against the DSP and DSP had been shifted from that place. In the cross-examination he admits that he has no documentary proof that DSP was transferred on his complaint or what action was taken in the criminal case. He has also admitted that he was not present at the spot but was told about the incident by some of the eyewitnesses. The memorandum which he has submitted has been exhibited as Ex. P-4. Shri Rajinder Singh in his statement has mentioned that he was getting Rs. 1900/- per month when his services were terminated illegally. He denied that he was not in possession of licence rather that he was given beatings by the DSP and SHO where by he fractured his rib. He claimed that he got himself medically examined on the next date but that medical certificate is not on record. He also admits that he was also got medically examined on the same day by the police and he was found having taken liquor. He however mentions that he was not driving any vehicle at that time and he was off duty since 5 p.m. whereas he had taken liquor at 7 p.m. He admits having received notice Ex. RC and the reply sent by him to this notices. He denied that he misbehaved with Mr. Ken and Allen Rampall.

13. In rebuttal respondent has examined three witnesses RW-1 is Shri Sanjiv, Clerk Incharge, District Hospital Re-kong Poo who has brought medical certificate and then Shri Sanjiv Kapoor who has exhibited this certificate Ex. RE. Third witness examined by the respondent is Shri Har Pal Singh who is Deputy General Manager (Civil) CFJV. He has mentioned that there were general complaints of drunkenness and misbehaviour of the petitioner. He was served with show cause notice Ex. RB & C which he replied vide Ex. RD. He has also produced the copies of attendance register and salary bills of the petitioner showing that petitioner has been getting over time payments continuously since his appointment and was performing his duties on driver. He has mentioned that he used to carry material from Badhal to Nathpa and return to Badhal on same day. Further that either way at use to take 2-3 hours on the road was the bad shape. However, on 12-1-1995 while coming from Nathpa to Badhal he stopped his vehicle at Bhawa Nagar which is seven Kms. short of Nathpa, though he was supposed to report at Badhal as he had loaded truck. He was arrested by the police on that day and the vehicle was impounded and he was got medically examined vide Ex. RF & G.

14. He has also stated that he was issued a show cause notice regarding the loss suffered by the company on account of the impounding of the vehicle vide Ex. RC, which he replied vide Ex. RD. Therefore, the complaints Ex. RW-3/e, f & g were received and preliminary investigation was done and report Ex. PW-3/h was submitted. He was issued suspension order which he refused to take and also threatened that workers will go on strike if suspension order is not revoked. He misbehaved with Mr. Ken on 7-3-1995 and his services were terminated on 8-3-1995 vide letter Ex. RW-3/i.

15. This witness admits that though the work at the project had to be completed within five six months, but it is still going on. He has mentioned that on 12-1-1995 petitioner was on duty from 8 a. m. till 8 at night and even though overtime was not mandatory but in case the worker was not to work over time he was expected to inform the management so that alternative arrangements could be made. He has denied the suggestion that these documents have been concocted to harm the interests of the petitioner.

16. Coming to the arguments of the learned counsel of the respondents that the petitioner was on probation and his dismissal was termination simpliciter on account of non-completion of probation period satisfactorily, no doubt as per the appointment letter petitioner was on the deemed extended probation and his services had not been confirmed by any written communication. However the letter of dismissal which is on record and is Ex. RW-3/i reveals that his termination is stigmatic as it is mentioned that he is in habit of using abusive language to his colleagues and superiors. He has been found under the influence of liquor which is a serious misconduct as per certified standing order. The loading of this document shows that it was not a case of not having completed the probation period satisfactorily, rather petitioner was found guilty of misconduct by the management and so his termination was stigmatic and his services could not have been terminated without holding an enquiry and affording him opportunity to prove his innocence. Therefore, this arguments of the Counsel for the respondent merits rejections.

17. Now coming to the second argument that matter was enquired in to and petitioner refused to give any explanation in writing and so enquiry report was submitted vide RW-3/h also does not appear to be correct as RW-3/h is not an enquiry report but a communication sent by the Assistant Manager (Administration) enclosing the statements taken by him and the intimation of refusal of the petitioner to give anything in writing. No proper procedure of natural justice and fair play was adhered to in this domestic enquiry. No formal charge-sheet was served. The statements were not recorded in the presence of petitioner nor there was any opportunity

given to him to cross-examine these witnesses. So this documents which is being purported to be an enquiry report can not be treated as one.

18. The last argument of the Ld. Counsel is that under section 11-A of the Act the Court can hold the enquiry in to the misconduct alleged by the management and form its own opinion. There is merit in this argument as section 11-A stipulates that in case of no enquiry parties can be given opportunity to prove the misconduct and form its own opinion.

The petitioners and the respondent both have led evidence in this regard. The respondent has based his case on medical certificate Ex. RE, the letter of explanation Ex. RC, Ex. RD, Ex. RW-3/e, RW-3/f, RW-3/g, Ex. RW-3/h, RW-3/j and RW-3/k. The first misconduct alleged against the petitioner is that he was found under the influence of liquor while on duty and was found to have parked his vehicle on wrong side of the road. So the vehicle was impounded and accused was taken in custody. He was medically examined and was found to be under the influence of liquor. It has been alleged that due to the impounding of the vehicle company was put to huge loss as the vehicle could not be plied for 7-8 days. Therefore, this conduct of the petitioners amounts to misconduct. The submission of the petitioner on the other hand is firstly that he was not on duty as his duty hours had finished at 5 P. M. whereas he was challaned much later and that though he had taken the liquor, but he was not on duty. In this regard I may point out that though regular working hours of the petitioner came to an end at 5 P. M. but the attendance register and the salary slips which have been exhibited as RW-3/h disclose that since the date of his joining, petitioner has been regularly giving over time so as to finish his task for the day i. e. taking the vehicle from Nathpa to Badhal and then from Badhal to Nathpa. So these documents shows that in order to complete the journey both ways petitioner was required to put over time which he was doing regularly. It otherwise appears to reason that in case petitioner was not interested to perform overtime he was required to attend intimate the management in advance, which he admittedly did not do. Even otherwise petitioner has not disputed that he used to take loaded truck to Nathpa and back. So petitioner could not have taken the liberty to leave the truck in between because his regular duty hours had come to an end. Therefore, for all intents and purposes the petitioner was on duty, when his vehicle was found parked on wrong-side at Bhawa Nagar and he was found under intoxication.

19. Moreover the submission of the petitioner that the police was conniving with the management and he was being falsely implicated also does not seem to be correct. No doubt PW-3 has tried to establish that on this complaint authorities were satisfied that DSP was hand-in-gloves with the management and so he was transferred after this incidence, but his cross-examination, demolishes their assertion. There is no evidence to prove this fact the police was conniving with the management and had tried to falsely involve petitioner. It appears that the petitioner was challaned in a routine manner and it had nothing to do with his trade union activities. Moreover, petitioner has given different reasons for his being under the influence of liquor. While appearing in the Court he has mentioned that he took liquor at 7.00 P. M. while he was off duty, but in the medical certificate, as per the history given to the doctor he had explained that police forced him to consume liquor before bringing him for medical examination. Even the plea of the petitioner that he was given beatings by the police in the presence of the eye witnesses is not established as admittedly as P.W.-3 had no personal knowledge about the incident and has only given the statement in the Courts on the narrations given by the alleged eye witnesses whom he is not able to name. I am, therefore, of the opinion that the petitioner was found at Bhawa Nagar under intoxication while he was on duty and as a result he was taken in custody by the police and his vehicle was impounded. It is also established that the truck remained with the police for a number of days and was made non-

functional due to the wrongful act of the petitioner. This conduct of the petitioner amounts to misconduct under the certified standing order under clause 24(4).

20. The other acts of misbehaviour of the petitioner are in the form of complaints made by three of the supervisory staff, namely Mr. Allen Rampell and Mr. Ken and Mr. Tyagi. These complaints have been brought on record through Shri Harpal Singh who is the Deputy General Manager of the respondent. Respondent has however not brought any of these persons as witnesses in the court and even the signatures on these documents have not been proved specifically. The petitioner has not been afforded any opportunity of cross-examining them in the Court to prove the alleged misbehaviour with them. Therefore, the alleged misbehaviour with Mrs. Allen Rampell, Mr. Ken etc is not proved.

21. I, therefore, hold that respondent has been able to prove the misconduct *viz-a-viz* the incident of 12-1-95 and has not been able to prove any other misconduct against him.

22. Since the misconduct of the petitioner has led to his dismissal *vide* order dated 8-3-95 the next question which arises is whether the punishment is harsh and can be interfered with by this forum. As a general precedence, the sentence which is imparted is not to be interfered unless it shocks the conscience of the court and totally unacceptable and perverse. Even in case of no enquiry having been held or if enquiry is not found to be proper, the punishment cannot be interfered with except when it is harsh so as to suggest victimization. In this case, since the dismissal order can not be said to be perverse or in order to victimise the petitioner, therefore, I do not see any reason to interfere with the punishment of dismissal. No doubt once the tribunal is of the view that no enquiry has been held or enquiry if held is not properly conducted, the tribunal is under obligation to hold the enquiry and take evidence from both the sides and after considering the merits of the dispute come to its own conclusion without having any regard to the view taken by the management in dismissing the employee but once the misconduct is proved either in the enquiry conducted by the employer or the evidence placed before tribunal for the first time, punishment imposed can not be interfered by the tribunal except in those cases where the punishment is very harsh. I take support from 1973 (1) S.C. 6813 so as a result I hold that the dismissal of the petitioner is justified in view of the misconduct which has been proved in the Court.

23. I, representative of the petitioner has argued that if there was no enquiry conducted by the management and for the first time misconduct has been proved before the Labour Court, the order of termination/dismissal would become effective from the date of the order of the Labour Court and the workman would be entitled to the grant of full back wages from the date of his termination from service till the date of the award. He has referred to a authority 1998 (2) S.L.R-424. This judgement has been delivered by the double bench of Hon'ble High Court of Karnataka and is reproduced below:

"Dealing with the similar circumstances and after referring to the various pronouncements of the Apex Court this Court in Abdul Gani Vs. The General Manager, Vishveshwaralali Iron and Steel Ltd. & Ors W.A. No. 7 of 1996 C/w WWA No 4362/95-111. 4-7-97 settled the position of law in this regard by holding that:

"While this would be the position, where there was a domestic enquiry which was found defective and the justification made in the Labour Court, herein, in the present case the service of the workman had been terminated without there being an enquiry. It was for the first time before the Labour Court that the employer, on leading evidence, justified the termination of services of the workman. Such a case ought to be covered by the principle enunciated in

Sasa Musa Sugar Works (P) Ltd. case. As earlier noted the constitution Bench in Kalyani, while referring to the relevant observations in Sasa Musa Sugar Works (P) Ltd., pointed out as to how there had been no previous enquiry whatsoever that had been held by the employer, and as to how the case for dismissal had been made out for the first time in the proceeding under Section 33 before the Labour Court. It was in those circumstances that the Constitution Bench noted that the employees in Sasa Musa Sugar Work (P) Ltd. would be entitled to their wages till the decision on the application under Section 33 *i.e.* till the decision by the Labour Court while making this distinction, the Constitution Bench in Kalyani also observed that the matter would have been different, if, in that case, an enquiry had been held, and the employer had to come to the conclusion that the dismissal was the proper punishment and had thereafter applied for permission under Section 33 (1). The Constitution Bench observed that in those circumstances, that permission would have related back to the date when the employer came to the conclusion after an enquiry, that the dismissal was the proper punishment and had applied for the removal of the ban by an application under section 33 (1) in other words, if circumstances similar to Sasa Musa Sugar Works (P) Ltd. existed *i.e.* if the order of termination is without an enquiry as in the present case, then, until termination is justified before the Labour Court culminating in the award of the Labour Court, the workman concerned would be entitled to wage. This is the position duly recognised in Kalyani and D. C. Roy also, when the circumstances relating to Sasa Musa Sugar Works (P) Ltd., were distinctly set out and Sasa Musa Sugar Works (P), Ltd., was distinguished.

In view of what has been discussed above, it is held that (1) in case where a defective enquiry is held before termination of services of the workman, the management has a right to justify their action by leading evidence before the Labour Court under the Act. In such a case if the action of the management is upheld the order of dismissal would relate back to the date when it was actually passed by the management, but (2) in case where the order of dismissal is passed without holding any enquiry and the action is justified by the management before the Labour Court after adducing evidence the order of dismissal would become effective from the date of the order of the Labour Court, and in that event the workman would be entitled to the grant of full back wages from the date of termination of his services till the date of award of the Labour Court.

Such a position of law is consonance with the principles of natural justice and the objects sought to be achieved by the Industrial Laws enacted for protecting the interest of the workman. In the absence of an enquiry as mandated under the Act, Rules, Bye-laws and Standing Orders governing the service conditions of the workman the order of dismissal should be deemed to be non-existent and not operating against the interest of the workman till it is justified in a legal manner by adducing evidence before the Labour Court, in as much as the workman dismissed in complete disregard to the principles of law and awaiting verdict of the Court would be deprived of the wages even for the period he awaits a judgment. The position in the case of defective enquiry would be totally different because the workman in that case would take a chance to prove that the enquiry though held was defective but in a case where no enquiry was held he would be justified to presume that the action of the respondent was liable to be quashed being contrary

to law, for the fault and inaction of the management and in the hope of seeking justice the workman could not be deprived of the wages for the period he remains out of job and employment presumably on account of the pendency of the case in a Court of law".

24. The crux of this judgment is that when a defective enquiry is held before termination of the service of a workman, management has a right to justify their action before the Court by leading evidence. If the action of the management is upheld, the order will be effective from the date when it was actually passed by the management, but where the order of termination is made without holding any enquiry and the action is justified by the management before the Labour Court after adducing evidence, the order of termination/dismissal would become effective only from the date of the order of the Labour Court and in that event, the workman would be entitled to the grant of full back wages from the date of termination of service till the date of the award of the Labour Court. Now coming to this conclusion, Hon'ble the Karnataka High Court has relied upon the decision of the Apex Court in *Abdul Ganni v/s The General Manager, Vishwashwariah Iron and Steel Ltd., & Ors.*

In the present case, no enquiry has been held into the misconduct by the employer and enquiry was held for the first time during the proceedings before the Labour Court. Therefore, in this case, the order of termination/dismissal would become effective from the date of orders of the Labour Court and he will be entitled to the full back wages from the date of his termination till the award of this Court. I, therefore, hold that though the petitioner is liable to be dismissed from service on account of his misconduct, but he is entitled to full back wages from the date of his termination *i.e. w.e.f. 8-3-1995* till the date of the award *i.e. 31-3-2001*. I, therefore, decide this issue accordingly.

RELIEF

25. Keeping in view the aforesaid findings and discussion, I hold that the petitioner is liable to be dismissed from service on account of his misconduct, but he is entitled to full back wages from the date of his termination *i.e. w.e.f. 8-3-1995* till the date of award *i.e. 31-3-2001*. The reference is answered accordingly. Let a copy of this award be sent to the appropriate Government for its publication in the Himachal Pradesh Rajpatra in accordance with Law.

Announced in the Open Court today this 31st Day of March, 2001.

Seal.

ARUNA KAPOOR,

Presiding Judge,

H. P. Tribunal-cum-Labour Court, Shimla.

PLANNING DEPARTMENT

NOTIFICATIONS

Mandi, the 31st January, 2001

No. PLG (F) (R & D) 4-5/95. In continuation of Himachal Pradesh Government notification No. PLG (F) (R & D) 4-5/95 dated the 31st March, 1998, the Governor, Himachal Pradesh is pleased to notify the following as Non-Official Members of the Sub-Divisional Level Public Grievances Redressal, Planning, Development and 20 point Programme Review Committee of Jogindernagar Sub Division in Mandi District :-

Jogindernagar Sub-Division:

1. Shri Ganga Rani Jamwal, P. O. and Tehsil Jogindernagar, District Mandi.

2. Shri Ramesh Sharma, Mandal President BIP, V.P.O. Nagwain, Sub-Tehsil Aut, District Mandi.
3. Smt. Hema Thakur, Member BIP State Executive, V.P.O. Majhamoo, District Mandi.
4. Shri Tek Chand Mandyal, Mandal President BIP, Village, Junjima P. O. and Tehsil Jogindernagar, District Mandi.
5. Smt. Kunti Devi, President Mahila Morcha, Village Shalwan P. O. Jalpehar, Tehsil Jogindernagar, District Mandi.
6. Shri Kehar Singh, Ex-Pradhan, V.P.O. Sinus, Tehsil Jogindernagar, District Mandi.
7. Shri Sant Ram, General Secretary BIP, V.P.O. Chuku, Tehsil Jogindernagar, District Mandi.
8. Shri Hem Raj, Up Pradhan, GP Gumma, P.O. Gumma, Tehsil Jogindernagar, District Mandi.
9. Shri Roop Singh Thakur, Vice-President BIP, Village Gora, Tehsil Ladbharol, District Mandi.
10. Shri Lalit Rana, Ex-Pradhan, V.P.O. Drubhal, Tehsil Jogindernagar, District Mandi.
11. Shri Mani Ram Verma, Member Zila Parishad, V.P.O. Chauntra, Tehsil Jogindernagar, District Mandi.
12. Shri Bhagmal, Member Zila Parishad, Village Nagan, P. O. Balh-Kwar Via Ladbharol, Tehsil Ladbharol, District Mandi.
13. Shri Karam Chand, Ex-Pradhan, V.P.O. Dhelu, Tehsil Jogindernagar, District Mandi.
14. Shri Ramesh Sood, President Beopar Mandal, Jogindernagar, District Mandi.
15. Shri Khem Singh Pradhan, GP Urla, Tehsil Padhar, District Mandi.
16. Shri Devi Singh Thakur, Ex-Pradhan, V.P.O. Drahul, Tehsil Jogindernagar, District Mandi.
17. Smt. Parwati Devi Chairman BDC, Drang Block, Tehsil Padhar, District Mandi.
18. Shri Harnam Singh, Chairman BDC, Chauntra, Tehsil Jogindernagar, District Mandi.
19. Shri Kahar Chand, V.P.O. Thaltukhod, Tehsil Padhar, District Mandi.
20. Shri Satish Thakur, President, GP Maman-Bhandar, Tehsil Ladbharol, District Mandi.
21. Shri Rewati Singh, Village Pali, P.O. Kunnu, Tehsil Padhar, District Mandi.
22. Smt. Sushila Sharma, Up-Pradhan, V.P.O. Ladruhin, Tehsil Jogindernagar, District Mandi.
23. Sh. Om Marwah, General Secretary, BIP, Jogindernagar, District Mandi.
24. Shri Ajay Siklani, General Secretary BIP, Youth, Tehsil Jogindernagar, District Mandi.
25. Shri Sansar Chand Verma, President, Ex-Service-man, Association and Pradhan, V.P.O. Balakrupi, Tehsil Jogindernagar, District Mandi.

Shimla-2, the 7th February, 2001

No. PLG (F) (R & D) 1-1/99. In partial modification of this department's notification of even number dated the 14th January, 2000, the Governor, Himachal Pradesh is pleased to nominate the following as

Chairman of District Level Planning Development and 20 Point Programme Review Committees with immediate effect.

Sl. No.	Name of the District	Name of the Chairman
1.	Bilaspur	Shri Rikhi Ram Kaundal MOS (Co-op.).
2.	Chamba	Shri Mohan Lal, MOS (Ayurveda).
3.	Hamirpur	Smt. Urmil Thakur, Parliamentary Secretary.
4.	Kangra	Chaudhary Vidya Sugar, Agri. Minister.
5.	Kullu	Shri Parkash Chaudhary, MOS (RD).
6.	Kinnaur	Shri Ramesh Chaudhary, I & P.H Minister.
7.	Mandi	Shri Roop Singh Thakur, Forest Minister.
8.	Lahaul & Spiti	Shri Ram Lal Markonde, MOS (AH).
9.	Shimla	Shri Narendra Bragta, MOS (Hort.).
10.	Sirmaur	Shri Gulab Singh Thakur, Speaker, Vidhan Sabha,
11.	Solan	Shri Mansa Ram, Welfare Minister.
12.	Una	Shri Ram Dass Malangar, Dy. Speaker, Vidhan Sabha.

Shimla-2, the 20th March, 2001

No. PLG F. C. (F) 3-3/98.—Consequent upon the nomination of the following persons as non-official members of the State Planning Board, Himachal Pradesh vide notification of even No. dated 12th January, 2001 the Governor, Himachal Pradesh is pleased to declare that these non-official members would be entitled to travel by any mode of transport for the journeys to be performed in connection with the meeting of State Planning Board in Himachal Pradesh or any other Sub-Group constituted there-under in relaxation of the TA rules and conditions governing the entitlements of TA and DA to non-official members circulated by the Finance Department from time to time.

The Governor is further pleased to declare that all the following non-official members of the State Planning Board would be declared as State Guests for their stay in Himachal Pradesh in connection with the meeting of State Planning Board or any other Sub-Group.

1. Dr. Anurita Patel, Chairperson, National Dairy Development Board, Post Box No.-40 Anand-388001, Gujarat.
2. Dr. Manju Sharma, Secretary, Ministry of Science & Technology, Department of Biotechnology, Government of India, Block-2 (7th floor) C G O Complex Lodhi Road, New Delhi-110003.
3. Shri Dewang Mehta, President, NASSCOM, International Youth Centre, Teen Murti Marg, Chanakypuri, New Delhi-110021.

4. Dr. N. Vijayaditya, Acting Director General, National Informatic Centre, A-Block CGO Complex, Lodhi Road, New Delhi-110003.

5. Shri Harbans Singh Retd., Commissioner of Horticulture, Government of India, C-8,8221, Vasant Kunj, New Delhi-110070.

The Governor is also pleased to declare the Pr. Adviser-cum-Secy. (Planning) as the controlling officer in regard to the countersigning of TA bills of the non-official members of the State Planning Board.

By order,

ASHA SWAROOP,
Financial Commissioner.

राजस्व विभाग
(प्रोसेक्यूट सैन)

अधिसूचनाएं

शिमला-२, २७ जून, २००१

संख्या रैव (पी० डी०) ए० (४)-१/९९—इस विभाग की समसंख्यक अधिसूचना दिनांक १-६-१९९९ की निरन्तरता में राज्यपाल हिमाचल प्रदेश, जिला स्तरीय भाषाई बांध विस्तारित पुनर्वास एवं सलाहकार समिति की उपायुक्त बिलासपुर की अध्यक्षता में दो वर्षों की अवधि के लिए गठित करने के सहर्ष आदेश देते हैं जिसका उद्देश्य भाषाई बांध के निर्माण से विस्थापित हुए व्यक्तियों के पुनर्वास व अन्य समस्याओं की देख-रेख करना है। इस समिति में निम्नलिखित गैर-सरकारी एवं सरकारी सदस्य होंगे,—

१. उपायुक्त बिलासपुर, हिमाचल प्रदेश अध्यक्ष
२. श्री के० डी० घर्मानी, पूर्व विधायक गैर-सरकारी व उपाध्यक्ष २०-स्तरीय कार्यक्रम सदस्य
३. श्री सदा राम ठाकुर, पूर्व विधायक, गांव बहल बडैला, डा० बिलासपुर । ”
४. श्री मस्त राम ठाकुर, पूर्व विधायक, गांव बाधु, डा० बिनौला, तहसील सदर, बिलासपुर । ”
५. कैप्टन जिन्दू राम (से० नि०), गांव व डा० कन्दौर, जिला बिलासपुर । ”
६. श्री कुलदीप चन्देल, जनसत्ता संवाददाता, रीडर सैक्टर, बिलासपुर । ”
७. श्री प्यार सिंह ठाकुर, गांव बड़यात, डा० व जिला बिलासपुर (हि० प्र०) । ”
८. श्री किशन सिंह चन्देल, गांव छरेड़, डा० अशिकेण, जिला बिलासपुर (हि० प्र०) । ”
९. श्री सुधीर कुरेशी, पत्रकार, बिलासपुर (हि० प्र०) ”
१०. श्री मन्सो राम संध्याल, बाम्बे-डार्डिंग, सेल बाजार बिलासपुर (हि० प्र०) । ”
११. श्री शोभ प्रकाश चन्देल, गांव व डा० भाषाई जिला बिलासपुर (हि० प्र०) । ”
१२. श्रीमती कमला संघ, सदस्य, जिला परिषद, गांव दरियाना, डा० श्रीहर, जिला बिलासपुर । ”
१३. श्री राजेश वर्मा, गांव तरकेड, डा० चांदपुर, जिला बिलासपुर (हि० प्र०) । ”
१४. डा० अश्वनी डोंगरा, इन्वेंट्रियल एग्निया बिलासपुर (हि० प्र०) । ”

15. श्री हरदयाल सिंह, गांव बडा0 समोह, तहसील गैर सरकारी मण्डला, जिला बिलासपुर (हि0 प्र0) ।	सदस्य	7. श्री राम लाल ठाकुर, विधायक	गैर-सरकारी सदस्य
16. अतिरिक्त जिला दण्डाधिकारी, बिलासपुर	सरकारी सदस्य	8. श्री राम दाम मनांगड, उपाध्यक्ष, विधान सभा, हिमाचल प्रदेश ।	"
17. अधिशासी अभियन्ता, लोक निर्माण विभाग बिलासपुर (हि0 प्र0) ।	"	9. श्री सुभाष ठाकुर, गांव बागर, डा0 निचली बटेड, तहसील सदर, जिला बिलासपुर, हिमाचल प्रदेश ।	"
18. अधिशासी अभियन्ता, मिर्चाई एवं जन-स्वास्थ्य बिलासपुर (हि0 प्र0) ।	"	10. श्री जगन राम प्रधान, ग्राम पंचायत श्रीहर, तह0 घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश ।	"
19. अधिशासी अभियन्ता, हि0 प्र0 राज्य विद्युत बोर्ड बिलासपुर (हि0 प्र0) ।	"	11. श्री के0 के0 कौणन, पूर्व विधायक	"
20. अरण्यपाल बिलासपुर	"	12. श्री जय कुमार, पत्रकार एवं महा सचिव, भाखड़ा बांध विस्थापित मंच बिलासपुर, हिमाचल प्रदेश ।	"
21. उप-मण्डलाधिकारी (ना0), बिलासपुर ।	"	13. मेजर शिव राम, बिलासपुर	"
22. उप-मण्डलाधिकारी (ना0) घुमारवीं	"	14. श्री बच्चन सिंह ठाकुर, बंगाणा त्रिजला कला, हिमाचल प्रदेश ।	"
23. योजना अधिकारी, उप-मण्डल नगर एवं ग्राम योजना, बिलासपुर (हि0 प्र0) ।	"	15. श्री रणवीर शर्मा, उपाध्यक्ष, लघु वृक्ष मलाहकार बोर्ड, हिमाचल प्रदेश ।	"
24. उपामुक्त बिलासपुर के सहायक आयुक्त	सदस्य-सचिव	16. श्री एच0 एम0 अटवान (सं0 नि0) एच0 ए0 एम0, गांव मजारी, तह0 म्बारवाट, जिला बिलासपुर ।	"

उपरोक्त सदस्यों के अतिरिक्त राज्य स्तरीय भाखड़ा बांध विस्थापित पुनर्वास एवं सलाहकार समिति के जिला से सम्बन्ध रखने वाले गैर-सरकारी सदस्य जिला स्तर की समिति में विधेय आमन्त्रित सदस्य होंगे ।

2. सरकारी सदस्य उन पर लागू भत्ता नियमानुसार लेने के हकदार होंगे ।

3. उपरोक्त समिति के गैर-सरकारी सदस्य समिति से सम्बन्धित कार्य के लिए की गई यात्रा/माईलेज/दैनिक भत्ता लेने के हकदार होंगे जैसा कि अनुबन्ध में दर्शाया गया है ।

4. गैर-सरकारी सदस्यों के बांझ भत्ता तथा दैनिक भत्तों का खर्चा मुख्य शीर्ष "2053—जिला प्रशासन—093—जिला स्थापना—01—सामान्य स्थापना देय होगा ।

5. जिलाधीन बिलासपुर गैर-सरकारी सदस्यों के यात्रा भत्ता बिलों के नियन्त्रक अधिकारी होंगे तथा यात्रा भत्ता बिलों पर प्रतिहस्ताक्षर करेंगे ।

जियला-2, 23 जून, 2001

संख्या रेव(पीडी) (9)-3/81.—इस विभाग की समसंस्कृत अधिसूचना दिनांक 26-4-1999 की निरन्तरता में राज्यपाल, हिमाचल प्रदेश राज्य स्तरीय भाखड़ा बांध विस्थापित पुनर्वास एवं सलाहकार समिति को दो वर्ष की अवधि के लिये गठित करने के सहर्ष आदेश देते हैं । जिसका उद्देश्य भाखड़ा बांध विस्थापित सलाहकार समिति के निर्माण से विस्थापित हुए व्यक्तियों के पुनर्वास व अन्य समस्याओं की देख-रेख करना है । इस समिति में निम्नलिखित गैर-सरकारी एवं सरकारी सदस्य होंगे:—

1. मुख्य मन्त्री, हिमाचल प्रदेश
2. राज्य मन्त्री राजस्व, हिमाचल प्रदेश
3. स्वास्थ्य एवं परिवार कल्याण मन्त्री हिमाचल प्रदेश ।
4. राज्य मन्त्री सहकारिता, हिमाचल प्रदेश ।
5. श्री सुरेश चन्वेल, संसद सदस्य
6. श्री कश्मोर सिंह ठाकुर, विधायक

7. विन्यायुक्त-एवं-सचिव (राजस्व)
8. सचिव, लोक निर्माण विभाग
9. सचिव, मिर्चाई एवं जन-स्वास्थ्य विभाग
10. अध्यक्ष, बी0 बी0 एम0 बी0, मण्डीगढ़ ।
11. अधीक्षण अभियन्ता, भाखड़ा बांध परियोजना तलवाड़ा, पंजाब ।
12. प्रमुख अभियन्ता, लोक निर्माण विभाग मिर्चाई एवं जन-स्वास्थ्य विभाग ।
13. मुख्य अभियन्ता, लोक निर्माण विभाग
14. मुख्य अभियन्ता, मिर्चाई एवं जन-स्वास्थ्य विभाग ।
15. मण्डलायुक्त, मण्डी मण्डल, मण्डी, जिला मण्डी ।
16. जिलाधीन बिलासपुर
17. अधिशासी अभियन्ता (लो0 नि0 बि0) बिलासपुर ।
18. अधिशासी अभियन्ता हि0 प्र0 राज्य बिजली बोर्ड, बिलासपुर ।
19. संयुक्त सचिव (राजस्व)

सरकारी सदस्य उन पर लागू/यात्रा भत्ता नियमानुसार लेने के हकदार होंगे । उपरोक्त समिति के गैर-सरकारी सदस्य समिति से सम्बन्धित कार्य के लिए की गई यात्रा/माईलेज/दैनिक भत्ता लेने के हकदार होंगे जैसा कि अनुबन्ध में दर्शाया गया है ।

अतिरिक्त सचिव/अवर सचिव, सचिवालय प्रशासन-लेखा, हिमाचल प्रदेश सरकार गैर-सरकारी सदस्यों के नियन्त्रक अधिकारी होंगे तथा उनके यात्रा भत्ता बिलों को बनायेंगे तथा इसका खर्चा मुख्य शीर्ष 20 52- सचिवालय सामान्य सेवाएँ-098-सचिवालय-01 मुख्य सचिवालय यात्रा भत्ता खर्च से देय होगा।

आदेश द्वारा,
हस्ताक्षरित/-
वित्तियुक्त एवं सचिव (राजस्व)।

ग्रामीण विकास विभाग

अधिसूचना

शिमला-9, 7 जुलाई, 2001

संख्या आर० डी० डी०-11-बी (15) 118/89-III.—राज्यपाल, हिमाचल प्रदेश ग्रामीण विकास विभाग में कनिष्ठ अभियन्ताओं के 47 पदों को (जिनका विवरण नीचे दिया गया है) तत्काल प्रभाव से समाप्त करने के सहित आदेश प्रदान करते हैं:—

क्र० सं०	विकास खण्ड कार्यालय का नाम जहाँ कनिष्ठ अभियन्ता का पद समाप्त किया गया	समाप्त किए जाने वाले पदों की संख्या
1	2	3
1	आनी	1
2	बंजार	1
3	निरमण्ड	1
4	काजा	1
5	केलांग	1
6	धर्मपुर सोलन	1
7	सोलन	1
8	सल्फी	2
9	तीसा	2
10	भरमौर	1
11	भटियात	1
12	चम्वा	1
13	मेहला	2
14	पांगी	1
15	निचार	1
16	कल्पा	1
17	पूह	1
18	पच्छाद	1
19	शिलाई	1
20	राजगढ़	1
21	पांवटा	2
22	संगड़ाह	2
23	चोपाल	2
24	रोहड़ू	1
25	ठिथीग	2

भाग-2—वैधानिक नियमों की छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

कार्यालय सहायक पंजीयक, सहकारी सभाएं, चम्वा, जिला चम्वा, हिमाचल प्रदेश

कार्यालय आदेश

चम्वा, 26 जून, 2001

संख्या 2330-36.—चूंकि तीसा ऊन उत्पादक प्राथमिक विपणन सहकारी सभा सीमित तीसा को डम कार्यालय के आदेश संख्या 1072-80 दिनांक 1-6-2000 के द्वारा विघटन में डाला गया था।

चूंकि विघटक द्वारा सभा के प्राप्तिय व दायित्वों की समाप्त करके अवशेष पत्र को शून्य किया जा चुका है तथा इसके पुनर्जीवित होने की कोई भी सम्भावना नहीं है।

1	2	3
26.	नारकण्डा	1
27.	रामपुर	1
28.	चड़गांव	1
29.	जुब्बल	2
30.	वसन्तपुर	1
31.	अम्ब	1
32.	गगरेट	1
33.	हरोली	1
34.	ऊना	1
35.	करसोग	1
36.	धर्मपुर मण्डी	1
37.	सुलह	1
38.	फतेहपुर	1
39.	राज्य मुख्यालय शिमला	1

47

हस्ताक्षरित/-
आयुक्त एवं सचिव।

नगर एवं ग्राम योजना विभाग

शुद्धि पत्र

25 जून, 2001

संख्या टी० सी० पी०-एफ(6)-1/99.—इस विभाग द्वारा जारी समसंख्यक अधिसूचना दिनांक 22-1-2001 में उदयपुर विशेष क्षेत्र विकास प्राधिकरण के गठन में क्रम संख्या 9 पर तहसीलदार उदयपुर के स्थान पर नाबब तहसीलदार उदयपुर, सदस्य सचिव पड़ा जाए।

आदेश द्वारा,
हस्ताक्षरित/-
आयुक्त एवं सचिव।

SOCIAL AND WOMEN'S WELFARE DEPARTMENT

CORRIGENDUM

Shimla-2, the 26th June, 2001

No. Kalyan-CH(10)13/2000.—Please read rename "SWAYAMSIDHA" (IWEP) instead of Integrated Women's Empowerment Programme of this department notification of even number dated 28th May, 2001.

By order,

Sd/-
Commissioner-cum-Secretary.

चूंकि विघटक, सभा तथा निरीक्षक-(अ) ने अपनी अन्तिम रिपोर्ट में उक्त सहकारी सभा के पंजीयन को रद्द करने की सिफारिश की है।

अतः मैं, विवेक महाजन, सहायक पंजीयक, सहकारी सभाएं चम्वा, जिला चम्वा, उक्त सहकारी सभा के विघटक की रिपोर्ट को दृष्टिगत रखने हुए, हिमाचल प्रदेश सहकारी सभाएं अधिनियम, 1968 (ऐक्ट नं० 3 आफ 1969) की धारा 83 (2) के अन्तर्गत तीसा ऊन उत्पादक प्राथमिक विपणन सहकारी सभा सीमित तीसा के पंजीयन को रद्द करने के आदेश जारी करता हूँ।

विवेक महाजन,
सहायक पंजीयक, सहकारी सभाएं,
चम्वा, जिला चम्वा (हि० प्र०)।

कार्यालय जिला पंचायत अधिकारी, जिला किन्नोर स्थित रिकांगपीओ,
हिमाचल प्रदेश
कार्यालय आदेश
रिकांगपीओ, 7 जुलाई, 2001

संख्या कनर-पंच (निर्वाचन) 775/95-2329.—श्री गुलाब चन्द
सदस्य, ग्राम पंचायत बान्सु, विकास खण्ड कल्पा ने अपने पद से
त्याग-पत्र दिया है जो कि विकास खण्ड अधिकारी कल्पा ने अपने
कार्यालय पत्र संख्या के 0 डी 0 बी 0 (पंच) (नि 0) 2000-362,
दिनांक 30-3-2001 को अपनी सिफारिश सहित स्वीकृति हेतु
भेजा है।

अतः मैं, धर्मवीर, जिला पंचायत अधिकारी, जिला किन्नोर,
हिमाचल प्रदेश (पंचायती राज अधिनियम, 1994 की धारा 130)
तथा नियमावली 1997 के नियम 135 (2) उप-नियम (1)
में प्राप्त शक्तियों का प्रयोग करते हुए, श्री गुलाब चन्द सदस्य,
वार्ड नं 0 5 का त्याग-पत्र तत्काल प्रभाव से स्वीकृत करता हूँ।

रिकांगपीओ, 7 जुलाई, 2001

संख्या कनर-पंच (निर्वाचन) 775/95-2324.—श्री देव कृष्ण
सदस्य, ग्राम पंचायत कल्पा, विकास खण्ड कल्पा ने अपने पद से
त्याग-पत्र दिया है जो कि विकास खण्ड अधिकारी कल्पा ने अपने
कार्यालय पत्र संख्या के 0 डी 0 बी 0 (पंच) (नि 0) 2000-362,
दिनांक 30-3-2001 को अपनी सिफारिश सहित स्वीकृति हेतु
भेजा है।

अतः मैं, धर्मवीर, जिला पंचायत अधिकारी, जिला किन्नोर,
हिमाचल प्रदेश (पंचायती राज अधिनियम, 1994 की धारा 130)
तथा नियमावली 1997 के नियम 135 (2) उप-नियम (1)
में प्राप्त शक्तियों का प्रयोग करते हुए, श्री देव कृष्ण, सदस्य, वार्ड नं 0 5
का त्याग-पत्र तत्काल से स्वीकृत करता हूँ।

रिकांगपीओ, 7 जुलाई, 2001

संख्या कनर-पंच (निर्वाचन) 775/95-2319.—श्रीमती
गुरुकुमपति, सदस्या, ग्राम पंचायत रोधी, विकास खण्ड कल्पा ने
अपने पद से त्याग-पत्र दिया है जो कि विकास खण्ड अधिकारी,
कल्पा ने अपने कार्यालय पत्र संख्या के 0 डी 0 बी 0 (पंच) (नि 0)
2000-362, दिनांक 30-3-2001 को अपनी सिफारिश सहित
स्वीकृति हेतु भेजा है।

अतः मैं, धर्मवीर, जिला पंचायत अधिकारी, जिला किन्नोर,
हिमाचल प्रदेश (पंचायती राज अधिनियम, 1994 की धारा 130)
तथा नियमावली, 1997 के नियम 135 (2) उप-नियम (1)
में प्राप्त शक्तियों का प्रयोग करते हुए, श्रीमती गुरुकुमपति, सदस्या,
वार्ड नं 0 1 का त्याग-पत्र तत्काल प्रभाव से स्वीकृत करता हूँ।

रिकांगपीओ, 7 जुलाई, 2001

संख्या कनर-पंच (निर्वाचन) 775/95-2314.—श्रीमती
भजन कुमारी, सदस्या, ग्राम पंचायत बान्सु, विकास खण्ड कल्पा
ने अपने पद से त्याग-पत्र दिया है जो कि विकास खण्ड अधिकारी,
कल्पा ने अपने कार्यालय पत्र संख्या के 0 डी 0 बी 0 (पंच) (नि 0)
2000-362, दिनांक 30-3-2001 को अपनी सिफारिश सहित
स्वीकृति हेतु भेजा है।

**भाग-3—अधिनियम, विधेयक और विधेयकों पर प्रजर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल,
हिमाचल प्रदेश हाई कोर्ट, फाइनंशियल कमिशनर तथा कमिशनर ऑफ इक्वैमेट्स द्वारा अधिसूचित आदेश इत्यादि**

मत्स्य पालन विभाग

अधिसूचना

शिमला-171 002, 22 मई, 2001

संख्या फिश-ए (3)-3/2001.—हिमाचल प्रदेश के राज्यपाल,
भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों
का प्रयोग करते हुए हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से,

अतः मैं, धर्मवीर, जिला पंचायत अधिकारी, जिला किन्नोर,
हिमाचल प्रदेश (पंचायती राज अधिनियम, 1994 की धारा 130)
तथा नियमावली, 1997 के नियम 135 (2) उप-नियम (1)
में प्राप्त शक्तियों का प्रयोग करते हुए, श्रीमती भजन कुमारी, सदस्या,
वार्ड नं 0 4 का त्याग-पत्र तत्काल प्रभाव से स्वीकृत करता हूँ।

हस्ताक्षरित/-

जिला पंचायत अधिकारी,
रिकांगपीओ, जिला किन्नोर,
हिमाचल प्रदेश।

TOURISM DEPARTMENT

CANCELLATION ORDER OF HOTELS

Shimla-9, the 6th July, 2001

No. 11-3/94-DTO/SML-3541.—Whereas "Tripti Tours and Travels" The Mall Shimla, H. P. is registered vide registration certificate No. 11-3/94-DTO-SML-2079 dated 10-6-94 under the Himachal Pradesh Registration of Tourist Trade Act, 1988.

Whereas the proprietor of the above Travel Agent vide his application dated Nil has requested to cancel its certificate of registration since he has ceased to operate the above travel agency.

Therefore, I, Surinder Justa, District Tourism Development Officer, Shimla division, Shimla in exercise of the power vested in me under section 13 (a) of Himachal Pradesh Registration of Tourist Trade Act, 1988, hereby order to remove the name of the Travel Agency known as Tripti Tours and Travels the Mall Shimla from the register and cancel its certificate of Registration with immediate effect.

Shimla-9, the 6th July, 2001

No. 13-25/75 DTO/SML-3538.—Whereas "Vijay" Hotel Shimla-1, District Shimla, H. P. is registered vide registration certificate No. Nil dated, 31-12-1975 under the Himachal Pradesh Registration of Hotel and Travel Agents Act, 1969.

Whereas the proprietor of the above hotel vide his application dated 26-6-2001 has requested to cancel its certificate of registration since he has ceased to operate the aforesaid hotel with immediate effect.

Therefore, I, Surinder Justa, District Tourism Development Officer, Shimla, Division Shimla in exercise of the powers vested in me under section 13 (a) of Himachal Pradesh Registration of Tourist Trade Act, 1988, hereby order to remove the name of the hotel known as Vijay at Shimla-1, District Shimla, H. P. from the register and cancel its certificate of Registration with immediate effect.

Sd/-
District Tourism Dev. Officer,
Shimla Division, Shimla.
SDA Complex, Block No. 28,
Kasumpti, Shimla-171 009.

इस विभाग की अधिसूचना संख्या फिश-ख (1)-1/93 तारीख 18-6-1996, द्वारा अधिसूचित, हिमाचल प्रदेश मत्स्य पालन विभाग में निदेशक एवं वार्डन (मत्स्य) वर्ग-1 (राजपत्रित) के पद के भर्ती एवं प्रोन्नति नियम, 1996 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, जर्नलित:—

1. संश्लिष्ट नाम और प्रारम्भ.—(i) इन नियमों का संश्लिष्ट नाम हिमाचल प्रदेश मत्स्य पालन विभाग, निदेशक एवं वार्डन मत्स्य, वर्ग-1 (राजपत्रित), भर्ती एवं प्रोन्नति नियम (प्रथम संशोधन) नियम, 2001 है।

(ii) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किये जाने की तारीख से प्रवृत्त होंगे।

2. उपबन्ध-1 का संशोधन.—हिमाचल प्रदेश मत्स्य पालन विभाग निदेशक एवं वाईन मत्स्य, वर्ग-I (राजपत्रित) भर्ती एवं प्रोन्नति नियम, 1996 के उपबन्ध-1 में:—

(क) स्तम्भ संख्या 4 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, अर्थात्:—

“14300-400-15900-450-18600 रुपए”

(ख) स्तम्भ संख्या 14 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, अर्थात्:—

“किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना आवश्यक है”

आदेश द्वारा,

हस्ताक्षरित/-
बिनायक एवं सचिव।

[Authoritative English text of notification No. Fish-A (3)-3/2001 dated 22-5-2001 as required under clause (3) of Article 348 of the Constitution of India].

FISHERIES DEPARTMENT

NOTIFICATION

Shimla-2, the 22nd May, 2001

No. Fish-A (3)-3/2001.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to amend the R. & P. Rules for the post of Director-cum-Warden of Fisheries (Class-I-Gazetted) in the Department of Fisheries, Himachal Pradesh notified vide this department notification No. Fish-Kha (1)-1/93 dated the 18th June, 1996 namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Department of Fisheries, Director-cum-Warden of Fisheries (Class-I-Gazetted) R. & P. (First Amendment) Rules, 2001.

(2) These rules shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. *Amendment of Annexure-I.*—In Annexure-I to the Himachal Pradesh Fisheries Department, Director-cum-Warden of Fisheries (Class-I-Gazetted) R. & P. Rules, 1996:—

(a) For the existing provisions against Column No. 4 the following shall be substituted, namely:—

“Rs. 14300-400-15900-450-18600”

(b) For the existing provisions against Column No. 14, the following shall be substituted, namely:—

“A candidate for appointment to any service or post must be a Citizen of India”.

By order,

Sd/-
F. C.-cum-Secretary.

GENERAL ADMINISTRATION HOSPITALITY AND PROTOCOL DEPARTMENT

NOTIFICATION

Shimla-2, the 31st January, 2001

No. Hosp.-A(1)-9/99-137.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution

of India, the Governor, Himachal Pradesh, in consultation with the H. P. Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Clerk Class-III (Non-Gazetted) in the Hospitality and Protocol Department, as per Annexure-'I' attached to this notification, namely:—

1. *Short title and commencement.*—(1) These rules shall be called the Himachal Pradesh Hospitality and Protocol Department, Clerk, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2001.

(2). These rules shall come into force from the date of publication of this notification in the Rajpatra, Himachal Pradesh.

2. *Rules.*—The number of post (s) classification, pay scale, qualification and method of recruitment etc. for the post of clerk in the Hospitality and Protocol Department shall be as specified in Annexure 'I' to this notification.

By order,

Sd/-

Commissioner-cum-Secretary (GAD).

ANNEXURE-"A"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CLERK CLASS-III (NON-GAZET- TED) IN THE HOSPITALITY AND PROTOCOL DEPARTMENT, HIMACHAL PRADESH

1. Name of the post	Clerk
2. Number of posts	1 (one)
3. Classification	Class-III (Non-Gazetted) Ministerial Services.
4. Scale of pay	Rs. 3120-100-3220-110-3660- 120-4260-140-4400-150-5000- 160-5160.
5. Whether selection post or non-selection post.	Non-selection
6. Age for direct recruitment.	Between 18 and 40 years:

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis;

Provided further that if a candidate appointed on *ad hoc* basis or on contract basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment;

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other Categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened

to be Government Servants before absorption in the Public Sector Corporations/Autonomous Bodies at the time of initial constitutions of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous Bodies who were/are subsequently appointed by such Corporations/Autonomous Bodies and who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

(1) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) is/are advertised for inviting applications or notified to the Employment Exchanges or as the case may be.

(2) Age and experience in the case of direct recruitment, relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruits.

(a) *Essential :*

(i) Should have passed Matriculation with IInd Division or 10+2 examination or its equivalent from a recognised Board/University.

(ii) Should possess a minimum speed of 30 W. P. M. in english typewriting or 25 W. P. M. in Hindi typewriting.

(b) *Desirable :*

(i) Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees.

Age : Not applicable
Educational Qualifications : Not applicable.

9. Period of probation, if any.

Two years subject to such farther extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

10. Method of recruitment—whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.

100% by direct recruitment.

11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/deputation/transfer is to be made.

Not applicable

12. If a Departmental Promotion Committee exists, what is its composition.

Not applicable

13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment.

As required under the law

14. Essential requirement for a direct recruitment.

A candidate for appointment to any service or post must be a citizen of India.

15. Selection for appointment to post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva voce test, in Himachal Pradesh Public Service Commission or Other Recruiting Authority as the case may be, so consider necessary or expedient by a written test or a practical test, the standard/syllabus etc. of which will be determined by the Commission/Other Recruiting Authority as the case may be.

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Powers to relax

Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the H.P.P.S.C. relax any of the provisions of these rules with respect to any class or category of persons or posts.

GENERAL ADMINISTRATION HOSPITALITY AND PROTOCOL DEPARTMENT

NOTIFICATION

Shimla-2, the 6th December, 2000

No. Hosp. A(1)-8/99-1488.—In exercise of the powers conferred by proviso to Article 309 of the constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission is

pleased to make the Recruitment and Promotion Rules for the post of Junior Assistant (Non-Gazetted Class-III) in the Hospitality and Protocol Department, Himachal Pradesh, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Hospitality and Protocol Department, Junior Assistant (Non-Gazetted (Class-III) Recruitment and Promotion Rules, 2000.

(2) These Rules shall come into force from the date of publication of this notification in the Rajpatra.

2. *Rules.*—The number of post(s) classification, pay scale, qualification and method of recruitment etc. for the post of Junior Assistant in the Hospitality and Protocol Department shall be as specified in Annexure-I to this notification.

By order,

Sd/-

Commissioner-cum-Secretary.

ANNEXURE "I"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF JUNIOR ASSISTANT (NON-GAZETTED CLASS-III) IN THE DEPARTMENT OF HOSPITALITY AND PROTOCOL, HIMACHAL PRADESH

- | | |
|---|--|
| 1. Name of the post | Junior Assistant |
| 2. Number of posts | 1 (One) |
| 3. Classification | Class-III (Non-Gazetted) Ministerial Services. |
| 4. Scale of pay | Rs. 4400-150-5000-160-5800-200-7000. |
| 5. Whether selection post or Non-Selection post. | Non-selection |
| 6. Age for direct recruitment. | Not applicable |
| 7. Minimum educational and other qualifications required for direct recruits. | Not applicable |
| 8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees. | Age: Not applicable
Educational Qualifications: Not applicable. |
| 9. Period of probation, if any. | Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing. |
| 10. Method of recruitment—whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. | 100% by promotion. |
| 11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/deputation/transfer is to be made. | By promotion from amongst the Clerks with five year's regular service or regular combined with continuous <i>ad hoc</i> (rendered upto 31-3-1998) service, if any, in the grade. |

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R. and P. Rules, provided that :—

In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998) followed by regular service/appointment in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration placed above the junior person in the field consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the R. and P. Rules for post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1972 and having been given

the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post upto 31-3-1998, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion against such post had been made after proper selection and in accordance with the provision of R. & P. Rules :

Provided that *inter se* seniority as a result of confirmation after taking into account *ad hoc* service rendered upto 31-3-1998 as referred to above shall remain unchanged.

- | | |
|---|--|
| 12. If a Departmental Promotion Committee exists, what is its composition. | As may be constituted by the Government from time to time. |
| 13. Circumstances under which the H.P.P.S.C is to be consulted in making recruitment. | As required under the law. |
| 14. Essential requirement for a direct recruitment. | Not applicable |
| 15. Selection for appointment to post by direct recruitment. | Not applicable |
| 16. Reservation | The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Other Backward Classes/Other Categories of persons issued by the Himachal Pradesh Government from time to time. |
| 17. Departmental Examination. | Not applicable |
| 18. Powers to relax | Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts. |

श्रम एवं रोजगार विभाग

प्रधिसूचना

शिमला-2, 4 जून, 2001

से, इस विभाग की समसंयुक्त अधिसूचना नम्बर 30-10-1998 द्वारा अधिसूचित, हिमाचल प्रदेश, श्रम एवं रोजगार विभाग में संयुक्त श्रमायुक्त, वर्ग-1 (राजपत्रित) के पद के भर्ती एवं प्रोन्नति नियम, 1998 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ.—(i) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश श्रम एवं रोजगार विभाग संयुक्त श्रमायुक्त, वर्ग-1 (राजपत्रित) भर्ती एवं प्रोन्नति (प्रथम संशोधन) (नियम, 2001) है।

(ii) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपाब्ध "क" का संशोधन.—हिमाचल प्रदेश श्रम एवं रोजगार विभाग संयुक्त श्रमायुक्त, वर्ग-1 (राजपत्रित) भर्ती एवं प्रोन्नति नियम, 1998 के उपाब्ध "क" में :—

स्तम्भ संख्या 11 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, अर्थात् :—

"उप-श्रमायुक्त में से जिसका 3 वर्ष का नियमित सेवाकाल या ग्रेड में (31-3-1998) तक की गई लगातार तदर्थ सेवा यदि कोई हो, का सम्मिलित करके 3 वर्ष का संयुक्त नियमित सेवाकाल हो, प्रोन्नति द्वारा :

(1) प्रोन्नति के सभी मामलों में पद पर नियुक्ति नियुक्ति से पूर्व सम्मरण पद में 31-3-1998 तक की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिये इन नियमों में यथाविवक्षित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्मरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाते के पश्चात् की गई थी। परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्मरण पद में अपने कुल सेवाकाल (31-3-1998 तक तदर्थ आधार पर की गई तदर्थ सेवा सहित जो नियमित सेवा/नियुक्ति के सम्मरण में हो, को शामिल करके) के आधार पर उपर्युक्त निदिष्ट उपबन्धों के कारण विचार किए जाने का पाव हो जाता है वहां अपने-अपने प्रवर्ग/पद/कांडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पाव सम्प्रेषे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति में ऊपर रखे जाएंगे।

परन्तु उन सभी पदधारियों की, जिन पर प्रोन्नति के लिये विचार किया जाता है, की कम से कम तीन वर्ष की न्यूनतम अग्रता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम हो, होगी :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तु के को अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिये अर्हता हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अर्हता सम्प्राप्त जायेगा/मसजे जाएंगे।

स्पष्टीकरण.—अग्रति परन्तु के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिये अर्हता नहीं सम्प्राप्त जायेगा/समझ जाएगा, यदि वरिष्ठ अर्हता व्यक्ति भूतपूर्व सैनिक है, जिसे इंडोचिनाईड्ड ग्राम्स कोमिन्स पर्सोनल (रिजर्वेशन ग्राफ वेकेंसीज इन हिमाचल स्टेट नान-टेक्नीकल सर्विसिज) रूलज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इसके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स सर्विस मैन् (रिजर्वेशन ग्राफ वेकेंसीज इन द हिमाचल प्रदेश टेक्नीकल सर्विसिज) रूलज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इसके अन्तर्गत वरीयता लाभ दिए गए हों।

(2) इसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियुक्ति/प्रोन्नति से पूर्व 31-3-1998 तक की गई तदर्थ सेवा यदि कोई हो, सेवाकाल के लिए गणना में ली जायेगी, यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी :

परन्तु 31-3-98 तक की गई उपर्युक्त निदिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

आदेश द्वारा,

आर० भट्टाचार्य,
बिज्ञापक एवं सचिव।

संख्या श्रम (बी) 2-20/97.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श

[Authoritative English text of this department notification No. Shimla(II) 2 20/97, dated 4-6-2001 as required under clause (1) of Article 148 of the Constitution of India]

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171 002, the 4th June, 2001

No. Shimla(II) 2 20/97. In exercise of the powers conferred by proviso to Article 109 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following Rules to amend the Himachal Pradesh Labour & Employment Department, Joint Labour Commissioner, Class-I (Gazetted) Recruitment and Promotion Rules, 1998, notified vide this department notification of even number, dated 30-10-1998, namely :

1. *Short title and commencement.* (i) These rules may be called the Himachal Pradesh Labour and Employment Department, Joint Labour Commissioner, Class-I (Gazetted) Recruitment and Promotion (First Amendment) Rules, 2001.

(ii) These rules shall come into force from the date of its publication in the Rajpatri, Himachal Pradesh.

2. *Amendment of Annexure 'A'.* In Annexure 'A' to the Himachal Pradesh Labour & Employment Department, Joint Labour Commissioner Class-I (Gazetted) Recruitment and Promotion Rules, 1998:

For the existing provisions against Column No. 11, the following shall be substituted, namely:

"By promotion from amongst the Deputy Labour Commissioner who possess 3 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-1998) service if any in the grade.

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions

of Recruitment and Promotion Rules, provided that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/grade shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least 3 years or that prescribed in the R & P Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly in all cases of confirmation, *ad hoc* service rendered on the feeder post upto 31-3-1998, if any, prior to the regular appointment against such post shall be taken into account, towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the R & P Rules :

Provided that *inter-se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-1998 as referred to above shall remain unchanged.

By order,

R. BHATTACHARYA,

Financial Commissioner-cum-Secretary.

भाग-4- स्थानीय स्वायत्त शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और वॉजन् एरिया तथा पंचायती राज विभाग

-श्रृंखला-

भाग-5- क्षेत्रीयक अधीनस्थानों और विकास

ब अदालत थोमसी राखल काहलो, उप-मण्डल वृद्धाधिकारी, मुसावरी, जिला बिलासपुर, हिमाचल प्रदेश

थोमसी कुन्नी देवी पत्नी श्री हरिदास राम, निवासी गांव न डाकघर पण्डीर, तहसील मण्डूता, जिला बिलासपुर, हिमाचल प्रदेश प्राणिनी।

कनाम

भाग प्रमाण

प्राथमिक-पत्र और भाग 15(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

थोमसी कुन्नी देवी पत्नी श्री हरिदास राम, निवासी गांव न डाकघर पण्डीर, परगना वृद्धादेई, तहसील मण्डूता, जिला बिलासपुर, हिमाचल प्रदेश ने इस कागजीय में 21-6-2001 को प्राथमिक-पत्र

पेश किया। उसने प्राथमिक की है कि प्राणिनी (थोमसी कुन्नी देवी) की जन्म पंजीकरण 8-11-1953 है जो कि सही है जबकि पंचायत में 1953 ही दर्ज है।

यस इस दस्तावेज द्वारा समस्त जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त प्राणिनी कुन्नी देवी पत्नी हरिदास राम के जन्म दिनांक 8-11-1953 बारे किसी किरम का उजर एवं एलराज हो तो वह दिनांक 8-8-2001 को प्रस्तावित न बकायतन हाजिर होकर अपना उजर पेश कर सकता है। बकूरत गैरहाजरी एकतरफा कार्यवाही प्रमाण में लाई जाएगी।

यस दिनांक 22-6-2001 को हमारे हस्ताक्षर व मोहर प्रयासत में जारी हुआ।

मोहर।

राखल काहलो,
उप-मण्डल वृद्धाधिकारी,
मुसावरी, जिला बिलासपुर (हिमाचल)

न्यायालय उप-मण्डल दण्डाधिकारी, भटियात स्थित चुवाड़ी, जिला चम्बा (हि० प्र०)

अदालती इशतहार

श्री कमल भापा पुत्र श्री हुकम सिंह, निवासी कालू गंज, ककीरा ।

ब अदालत श्री जे० एम० पठानिया (हि० प्र० मे०), बन्दीबन्त अधिकारी, भू-एकत्रीकरण विभाग, हमीरपुर (हि० प्र०)

केस नं० 21/4/2000

बनाम

शाम अनता

वरकबास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीनूरिया राम पुत्र स्व० श्री मुरजन राम, नानी टीका भरठवान मोजा मेवा, तहसील भोरज, जिला हमीरपुर (हि० प्र०)

... जारी ।

बनाम

1. गंजीव कुमार पुत्र जगदीश चन्द, 2. मेहर चन्द पुत्र स्व० श्री मुरजन राम, निवासीमण टीका भरठवान, मोजा मेवा, तहसील भोरज, जिला हमीरपुर (हि० प्र०) ... प्रतिवादीगण ।

मुकद्दमा अधीन धारा 30 (3) हि० प्र० भू-एकत्रीकरण अधिनियम, 1971.

श्री कमल भापा पुत्र श्री हुकम सिंह, निवासी कालू गंज, ककीरा, जिला चम्बा, हिमाचल प्रदेश ने एक प्रार्थना-पत्र हल्की भान माहित प्रस्तुत करके प्रार्थना की है कि उसके लड़के पंजल भापा की जन्म तिथि मालती से पंचायत रिकार्ड में 7-10-1990 लिखी गई है जिसे को ठीक जन्म तिथि 7-8-1990 बनाम ग्राम पंचायत ककीरा में ठीक दर्ज करने के आदेश जारी किए जाएं ।

लिहाजा बजरिया इशतहार सर्वसाधारण को सूचित किया जाता है कि धारा पंजल भापा की जन्म तिथि पंचायत रिकार्ड ककीरा में ठीक दर्ज करने के सम्बन्ध में किसी को उजर या एतराज हो तो वह दिनांक 31-7-2001 को इस न्यायालय में हाजिर होकर प्रस्तुत करे अन्यथा साम व जन्म तिथि दर्ज करने के आदेश जारी कर दिये जाएंगे ।

आज दिनांक 28-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

हस्ताक्षरित/-

मोहर । उप-मण्डल दण्डाधिकारी, भटियात स्थित चुवाड़ी, जिला चम्बा (हि० प्र०) ।

न्यायालय उप-मण्डल दण्डाधिकारी, भटियात स्थित चुवाड़ी, जिला चम्बा (हि० प्र०)

श्री धनोक कुमार पुत्र श्री परस राम, निवासी तलाई, तहसील भटियात ।

बनाम

शाम जनता

वरकबास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री धनोक कुमार पुत्र श्री परस राम, निवासी तलाई, तहसील भटियात, जिला चम्बा, हिमाचल प्रदेश ने एक प्रार्थना-पत्र हल्की भान सहित प्रस्तुत करके प्रार्थना की है कि उसको लड़की मोनाशो की जन्म तिथि 13-6-1999 व नाम ग्राम पंचायत बनेट में दर्ज नहीं है तथा दर्ज करने के आदेश जारी किए जाएं ।

लिहाजा बजरिया इशतहार सर्वसाधारण को सूचित किया जाता है कि उक्त मोनाशो का नाम व जन्म तिथि पंचायत रिकार्ड बनेट में दर्ज करने के सम्बन्ध में किसी को उजर या एतराज हो तो वह दिनांक 31-7-2001 को इस न्यायालय में हाजिर होकर प्रस्तुत करे अन्यथा नाम व जन्म तिथि दर्ज करने के आदेश जारी कर दिए जाएंगे ।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

हस्ताक्षरित/-

मोहर । उप-मण्डल दण्डाधिकारी, भटियात स्थित चुवाड़ी, जिला चम्बा (हि० प्र०) ।

अदालती इशतहार

ब अदालत श्री जे० एम० पठानिया (हि० प्र० मे०), बन्दीबन्त अधिकारी, भू-एकत्रीकरण विभाग, हमीरपुर, हिमाचल प्रदेश

केस नं० 116/99.

1. बन्दी प्रसाद, रणजीत सिंह पुत्र लच्छमण, निवासी टीका दयोग, मोजा मेवा, तहसील भोरज, जिला हमीरपुर, हिमाचल प्रदेश

... वादीगण ।

बनाम

1. प्रताप सिंह, 2. सुरज कुमार पुत्र कांसी राम, 3. अमर सिंह, 4. ज्ञान चन्द, 5. प्रेम सिंह पुत्र तुलसी राम, 6. रोशन लाल, 7. बृज लाल पुत्र सुन्दर, 8. रमेश चन्द पुत्र व श्रीमती सरसी देवी विधवा रूप लाल, 9. राकेश, 10. कुलवीर, 11. गंजीव पुत्र रोशन, 12. प्यारे लाल, 13. कर्म चन्द पुत्र चौधरी राम, 14. भागीरथ, 15. दूनी चन्द, 16. रत्न चन्द, 17. साली राम, 18. मन्थो राम, 19. नाथ राम पुत्र भरत राम, 20. श्रीमती प्रकाशो देवी विधवा भागीरथ, 21. बेली राम, 22. धर्म सिंह, 23. लिखी राम, 24. जगदीश चन्द, 25. सुन्दर पुत्र भगवाना, 26. खजाना राम पुत्र चड्डा, 27. नरैण दास पुत्र जवाहर, 28. श्रीमती कमला देवी विधवा, 29. रजनी देवी पुत्री सोनो लाल, 30. सुरेश कुमार पुत्र रामरथ, 31. चित्ती देवी विधवा जवाहर, 32. गन्दी पुत्र प्रमदयाल, 33. शशी कुमार पुत्र माध राम, 34. हरदेव, 35. जोगिन्द्र, 36. हरनाम सिंह पुत्र व श्रीमती द्रोपती पुत्री लच्छमण, 37. रत्न चन्द, 38. चोरा पुत्र सुन्दर, 39. गलदेव पुत्र निरंजन, निवासीमण महाल दयोग, मोजा मेवा, तहसील भोरज, जिला हमीरपुर, 40. मिलखी पुत्र सुन्दर, निवासी गड़ोला, तहसील भोरज, जिला हमीरपुर, हिमाचल प्रदेश ... प्रतिवादीगण ।

मुकद्दमा अधीन धारा 30(3) हि० प्र० भू-एकत्रीकरण अधिनियम, 1971.

उपरोक्त उनवान केस में बट्टी प्रशाद आदि ने प्रताप सिंह आदि पर धारा 30(3) हि० प्र० भू-एकत्रीकरण अधिनियम, 1971 के तहत अपील दायर की है। प्रतिवादीगण को तामील समन साधारण तरीके से नहीं हो रही है तथा प्रतिवादीगण मुहाल हजा से बाहर रहते हैं। उन्हें इस इशतहार द्वारा सूचित किया जाता है कि वे असालतन या वकालतन हमारे समक्ष मेरी कैम्प अदालत मुकाम भोरंज में दिनांक 8-8-2001 को हाजिर आएँ अन्यथा आपके विरुद्ध एकतरफा कार्रवाई अमल में लाई जावेगी।

यह इशतहार आज दिनांक 7-7-2001 को मेरे हस्ताक्षर व मोहर सहित इस अदालत से जारी हुआ।

मोहर।

जे० एस० पठानिया,
बन्दोवस्त अधिकारी,
भू-एकत्रीकरण विभाग,
हमीरपुर, हिमाचल प्रदेश।

अदालती इशतहार

व अदालत श्री जे० एस० पठानिया (हि० प्र० से०) बन्दोवस्त अधिकारी, भू-एकत्रीकरण विभाग, हमीरपुर (हि० प्र०)

केस नं० : 116/99.

रोशन लाल पुत्र सुन्दर सिंह, वासी टीका दयोग, मौजा मेवा, तहसील भोरंज, जिला हमीरपुर (हि० प्र०)।

बनाम

1. प्रताप सिंह, 2. सुरेश कुमार पुत्र कांशी राम, 3. अमर सिंह, 4. ज्ञान चन्द, 5. प्रेम सिंह पुत्र तुलसी राम, 6. रोशन लाल, 7. बृज लाल पुत्र सुन्दर, 8. रमेश चन्द पुत्र व श्रीमती सरवो देवी विधवा रूप लाल, 9. राकेश, 10. कुलदीप, 11. संजीव पुत्र रोशन, 12. प्यारे लाल, 13. कर्म चन्द पुत्र चौधरी राम, 14. भागीरथ, 15. दुनी चन्द, 16. रत्न चन्द, 17. साली राम, 18. मन्थी राम, 19. नाथ राम पुत्र महत राम, 20. श्रीमती प्रकाशो देवी विधवा भागीरथ, 21. बेनी राम, 22. धर्म सिंह, 23. रिखी राम, 24. जगदीश चन्द, 25. सुन्दर पुत्र भगवाना, 26. खजाना राम पुत्र चड्ढा, 27. नरेण दास पुत्र जवाहर, 28. श्रीमती कमला देवी विधवा 29. रजनी देवी पुत्री मोनी लाल, 30. सुरेन्द्र कुमार पुत्र रामरथ, 31. चिन्ती देवी विधवा जवाहर, 32. गद्दी पुत्र प्रभदयाल, 33. जशी कुमार पुत्र साध राम, 34. हरदेव, 35. हरनाम सिंह पुत्र व श्रीमती द्रोपती देवी पुत्री लच्छमण, 37. रत्न चन्द, 38. चौरा पुत्र सुन्दर, 39. बलदेव पुत्र निरंजन, निवासीगण मुहाल दयोग, मौजा मेवा, तहसील भोरंज, जिला हमीरपुर (हि० प्र०)

.. प्रतिवादीगण।

मुकद्दमा अधीन धारा 30(3) हि० प्र० भू-एकत्रीकरण अधिनियम, 1971.

उपरोक्त उनवान केस में रोशन लाल ने प्रताप सिंह आदि पर अधीन धारा 30(3) हिमाचल प्रदेश भू-एकत्रीकरण अधिनियम, 1971 के तहत अपील दायर की है। प्रतिवादीगण को तामील समन साधारण तरीके से नहीं हो रही है तथा प्रतिवादीगण मुहाल हजा से बाहर रहते हैं। उन्हें इस इशतहार द्वारा सूचित किया जाता है कि वे असालतन या वकालतन हमारे समक्ष मेरी कैम्प अदालत मुकाम भोरंज में दिनांक 8-8-2001 को हाजिर आएँ अन्यथा आपके विरुद्ध एकतरफा कार्रवाई अमल में लाई जावेगी।

यह इशतहार आज दिनांक 7-7-2001 का मेरे हस्ताक्षर व मोहर सहित इस अदालत से जारी हुआ।

मोहर।

जे० एस० पठानिया,
बन्दोवस्त अधिकारी,
भू-एकत्रीकरण विभाग,
हमीरपुर (हि० प्र०)।

व अदालत श्री जे० एस० पठानिया (हि० प्र० से०), बन्दोवस्त अधिकारी, भू-एकत्रीकरण विभाग, हमीरपुर (हि० प्र०)

केस नं० : 140/2000

श्री उधम सिंह उर्फ उधो राम पुत्र रामसरण, गांव संगरोह खुर्द, डी० समीरपुर, तप्पा बमसन, तहसील भोरंज, जिला हमीरपुर (हि० प्र०)

.. वादी।

बनाम

1. विधि चन्द पुत्र लच्छमण, 2. प्रेम सिंह पुत्र लच्छमण, 3. जगदीश पुत्र लच्छमण, निवासीगण मुहाल बगवाड़ा, तप्पा बमसन, तहसील भोरंज, जिला हमीरपुर (हि० प्र०)

.. प्रतिवादीगण।

मुकद्दमा अधीन धारा 30(3) हि० प्र० भू-एकत्रीकरण अधिनियम, 1971.

उपरोक्त उनवान केस में उधम सिंह उर्फ उधो राम ने अधीन धारा 30(3) हि० प्र० भू-एकत्रीकरण अधिनियम, 1971 के तहत विधि चन्द आदि के खिलाफ अपील दायर की है। प्रतिवादीगण प्रेम सिंह तथा जगदीश, निवासीगण टीका बगवाड़ा, तप्पा बमसन, तहसील भोरंज, जिला हमीरपुर को तामील समन साधारण तरीके से नहीं हो रही है तथा प्रतिवादीगण मुहाल हजा से बाहर रहते हैं। उन्हें इस इशतहार द्वारा सूचित किया जाता है कि वे असालतन या वकालतन हमारे समक्ष मुकाम तहसील कार्यालय भोरंज मेरी कैम्प अदालत में दिनांक 8-8-2001 को हाजिर आएँ अन्यथा आपके विरुद्ध एकतरफा कार्रवाई अमल में लाई जावेगी।

यह इशतहार आज दिनांक 7-7-2001 को मेरे हस्ताक्षर व मोहर सहित इस अदालत से जारी हुआ।

मोहर।

जे० एस० पठानिया,
बन्दोवस्त अधिकारी,
भू-एकत्रीकरण विभाग,
हमीरपुर (हि० प्र०)।

व अदालत श्री जे० डी० राणा, स्पेशल मैरिज अधिकारी, बडसर, जिला हमीरपुर (हि० प्र०)

1. श्री मुनील दत्त सुपुत्र श्री भगवान दास, वासी मोरसू गारला डाकघर भोंटा, तहसील बडसर, जिला हमीरपुर (हि० प्र०)।

2. श्रीमती रजनी मैहता सुपुत्री श्री राममूर्ति मैहता, वासी हाऊस नं० 3408, हलालपुरा टाऊन, सरहिन्द मण्डी, जिला फतेहगढ़, साहिब (पंजाब)

.. प्रार्थीगण।

बनाम

ग्राम जनता

उनवान.--प्रार्थना-पत्र जेर धारा 15 स्पेशल मैरिज ऐक्ट, 1954 के अन्तर्गत शादी पंजीकृत करने बारे।

उपरोक्त मुकद्दमा में श्री मुनील दत्त व श्रीमती रजनी मैहता ने दिनांक 20-6-2001 को इस अदालत में प्रार्थना-पत्र पेश किया कि उन्होंने दिनांक 30-5-1999 को हिन्दू रीति-रिवाज के अनुसार गांव मोरसू गारला, डाकघर भोंटा, तहसील बडसर, जिला हमीरपुर में शादी कर ली है और तब से पति-पत्नी के रूप में रहते आ रहे हैं। जेर धारा 15 स्पेशल मैरिज ऐक्ट, 1954 के अन्तर्गत शादी पंजीकृत की जावे।

अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस शादी को पंजीकृत करने बारे कोई गन्तराज हो तो वह दिनांक को समय 10.00 बजे प्रातः हाजिर अदालत आकर अपना एतराज पेश कर सकता है अन्यथा कार्यवाही एक तरफा अमल में लाई जावेगी।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

के० डी० राणा,
स्पेशल मैरीज अधिकारी,
वडसर, जिला हमीरपुर (हि० प्र०)।

व अदालत श्री गोकल चन्द शर्मा, सहायक समाहर्ता द्वितीय श्रेणी, भोरंज, जिला हमीरपुर, हिमाचल प्रदेश

मु० नं० 153/2000 तथा 151/2000.

श्री बाबू राम उर्फ किशन चन्द पुत्र गंगा, वासी राहवीं, तप्पा बमसन, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) वादी।

बनाम

(1) श्री बलवन्त सिंह, (2) अजीत सिंह पिसरान अमर सिंह, (3) भागी रथ पुत्र खड़कू, (4) अमी चन्द पुत्र खड़कू, (5) सत्या देवी देवा, (6) संदेश कुमार, (7) अनिल कुमार, (8) विजय कुमार पिसरान अमर नाथ, 1 ता 4, वासीगण राहवीं व 5 ता 8 वासीगण क्लोड़, तप्पा बमसन, तहसील भोरंज, जिला हमीरपुर, हिमाचल प्रदेश प्रतिवादीगण।

प्रार्थना-पत्र बराए तकसीम भूमि खाता नं० 44, खतौनी नं० 69-70, ख० नं० कित्ता 2, रकबा ता० 3क० 8म०, टीका राहवीं, तप्पा बमसन।

उपरोक्त मुकद्दमा में बलवन्त सिंह वगैरा प्रतिवादीगण को कई बार समन जारी किए गए मगर उनकी तामील अदालत न हो रही है। वे जान-बूझ कर अदालत में हाजर आने में टाल-मटोल कर रहे हैं। इसलिए इस अदालत को पूर्ण विश्वास हो चुका है कि उनकी तामील साधारण ढंग से करवाया जाना कठिन है।

अतः उपरोक्त प्रतिवादीगण को इस राजपत्र इस्तहार द्वारा सूचित किया जाता है कि वे बराए पैरवी मुकद्दमा अदालत न या वकालतन दिनांक 26-7-2001 को प्रातः 10.00 बजे हाजर अदालत आवे अन्यथा एकपक्षीय कार्यवाही अमल में लाई जावेगी।

आज दिनांक 5-7-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

गोकल चन्द शर्मा,
सहायक समाहर्ता द्वितीय श्रेणी,
भोरंज, जिला हमीरपुर,
हिमाचल प्रदेश।

व अदालत श्री गोकल चन्द शर्मा, सहायक समाहर्ता द्वितीय श्रेणी, भोरंज, जिला हमीरपुर, हिमाचल प्रदेश

मु० नं० 139/2000 तथा 144/2000.

श्री जगत पुत्र गगना वगैरा, वासीगण लदरोर कलां, तप्पा मैहलता, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) प्रार्थी।

बनाम

रण सिंह पुत्र मसूदी वगैरा, वासीगण लदरोर कलां, तप्पा मैहलता, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) प्रतिवादीगण।

प्रार्थना-पत्र बराए तकसीम भूमि खाता नं० 124, खतौनी नं० 140, ख० नं० कित्ता 33, रकबा तादादी 62क० 3म०, बाध्या टीका लदरोर कलां, तप्पा मैहलता।

नोटिस बनाम :

(1) श्री लालमन, (2) सत राम पिसरान भगती, वासीगण लदरोर कलां, तप्पा मैहलता।

उपरोक्त मुकद्दमा में उपरोक्त प्रतिवादीगण श्री भगत राम व सत राम को कई बार समन जारी किए गए मगर उनकी तामील

अदालत न हो रही है। वे जान-बूझ कर अदालत में हाजर न आने में टाल-मटोल कर रहे हैं। इसलिए अदालत को पूर्ण विश्वास हो चुका है कि उनकी तामील साधारण ढंग से करवाया जाना कठिन है।

अतः श्री लाल मन वगैरा को इस राजपत्र इस्तहार द्वारा सूचित किया जाता है कि वे दिनांक 26-7-2001 को प्रातः 10.00 बजे हाजर अदालत आकर अदालत न या वकालतन पैरवी मुकद्दमा करें अन्यथा गैर-हाजरी की सूरत में एकतरफा कार्यवाही अमल में लाई जावेगी।

आज दिनांक 5-7-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

गोकल चन्द शर्मा,
सहायक समाहर्ता द्वितीय श्रेणी,
भोरंज, जिला हमीरपुर,
हिमाचल प्रदेश।

व अदालत श्री गोकल चन्द शर्मा, सहायक समाहर्ता द्वितीय श्रेणी, भोरंज, जिला हमीरपुर, हिमाचल प्रदेश

मुकद्दमा नं० 55/2000.

श्री प्रीतम चन्द पुत्र छेवर, वासीगण चम्बोह, तप्पा मेवा, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) वादी।

बनाम

श्री भगत राम पुत्र रोहनी वगैरा, वासीगण चम्बोह, तप्पा मेवा, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) प्रतिवादीगण।

प्रार्थना-पत्र बराए तकसीम भूमि खाता नं० 446, खतौनी नं० 651, ख० नं० कित्ता 16, रकबा ता० 43क० 17 म०, बाध्या टीका चम्बोह, तप्पा मेवा।

नोटिस बनाम :

(1) श्री अमर नाथ, (2) ओंकार पिसरान, (3) कौशल्या देवी, (4) रत्नी देवी, (5) शकुन्तला देवी, (6) निर्मला, (7) सोमा पुत्रियां, (8) भीषी देवी देवा तोता, वासीगण चम्बोह, तप्पा मेवा प्रतिवादीगण।

उपरोक्त मुकद्दमा में श्री अमर नाथ वगैरा प्रतिवादीगण को कई बार समन जारी किए गए मगर रिपोंट तामील कुनिदा अनुसार उनकी तामील अदालत न हो रही है। वे जान-बूझ कर अदालत में आने में टाल-मटोल कर रहे हैं। इसलिए अदालत को पूर्ण विश्वास हो चुका है कि उनकी तामील साधारण ढंग से करवाना जाना कठिन है।

अतः श्री अमर नाथ वगैरा प्रतिवादीगण को इस इस्तहार राजपत्र द्वारा सूचित किया जाता है कि वे दिनांक 26-7-2001 को प्रातः 10.00 बजे इस अदालत में आकर अदालत न या वकालतन पैरवी मुकद्दमा करें अन्यथा गैर-हाजरी की सूरत में एकतरफा कार्यवाही अमल में लाई जावेगी।

आज दिनांक 5-7-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

गोकल चन्द शर्मा,
सहायक समाहर्ता द्वितीय श्रेणी,
भोरंज, जिला हमीरपुर,
हिमाचल प्रदेश।

व अदालत श्री गोकल चन्द शर्मा, सहायक समाहर्ता द्वितीय श्रेणी, भोरंज, जिला हमीरपुर, हिमाचल प्रदेश

मु० नं० 110/2000.

श्री अमर नाथ पुत्र श्री दुर्गा, वासी कड़, तप्पा मेवा, तहसील भोरंज, जिला हमीरपुर, हिमाचल प्रदेश वादी।

बनाम

(1) श्री जगदीश चन्द, (2) रणजीत सिंह, (3) लेख राज, (4) हरि चन्द, (5) योंग राज पिसरान, (6) कलासी देवी बेवा महारत, (7) ख्याली राम, (8) जगदीश चन्द पिसरान राम दयाल, (9) ब्रह्मी देवी पुत्री गोपाला, वासीगण बकड़, तप्या मेवा, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) प्रतिवादीगण ।

प्रार्थना-पत्र बराए तकसीम भूमि खाता नं० 354, खतीनी नं० 390, ख० नं० किता 2, रकबा ता० 9क० 2म०, बाक्या टीका कड़, तप्या मेवा ।

उपरोक्त मुकद्दमा में श्री जगदीश चन्द बगैरा प्रतिवादीगण को कई बार समन जारी किए गए मगर उनकी तामील असालतन न हो रही है । वे जानबूझ कर अदालत हाजर भाने में टाल-मटोल कर रहे हैं । इसलिए अदालत को पूर्ण विश्वास हो चुका है कि उनकी तामील साधारण ढंग से करवाया जाना कठिन है ।

अतः उपरोक्त प्रतिवादीगण को इस राजपल इशतहार द्वारा सूचित किया जाता है कि वे बराए पैरवी मुकद्दमा असालतन या बकालतन दिनांक 28-7-2001 को प्रातः 10.00 बजे हाजर अदालत आवें अन्यथा एकतरफा कार्यवाही अमल में लाई जावेगी ।

आज दिनांक 5-7-2001 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ ।

मोहर ।

गोकल चन्द शर्मा,
सहायक समाहर्ता द्वितीय श्रेणी,
भोरंज, जिला हमीरपुर,
हिमाचल प्रदेश ।

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, भोरंज,
जिला हमीरपुर, हिमाचल प्रदेश

श्री ओंकार चन्द पुत्र श्री सुहणू, वासी बड़ोह, मौजा मेहलता, तहसील भोरंज, जिला हमीरपुर (हि० प्र०) ।

बनाम

धाम जनता

विषय.—राजपल इशतहार मकफूद-उल-खबरी बारे ।

श्री ओंकार चन्द पुत्र श्री सुहणू, वासी बड़ोह, मौजा मेहलता, तहसील भोरंज, जिला हमीरपुर ने इस कार्यालय में प्रार्थना-पत्र पेश किया है कि श्री शक्ति चन्द पुत्र श्री सुहणू, वासी बड़ोह, मौजा मेहलता, तहसील भोरंज, जिला हमीरपुर अरसा 12-14 वर्ष से लापता है । काफी तलाश करने पर भी कोई सुराग न मिला है । जिसका इन्तकाल बरास्त बनाम बारासना इन्तकाल नं० 155 दिनांक 9-4-2001 बराये फैसला विचारार्थ है । अतः इस इशतहार द्वारा आम जनता को सूचित किया जाता है कि अगर श्री शक्ति चन्द की बरास्त बारासना के नाम इन्तकाल का फैसला कर दिया जाये तो किसी को कोई उजर/गताराज हों तो वह दिनांक 2-8-2001 को अदालत हाजर आकर उजर पेश कर सकता है अन्यथा हाजर न आने की मृत में इन्तकाल का फैसला कर दिया जाएगा ।

आज दिनांक 29-5-2001 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ ।

मोहर ।

हस्ताक्षरित/
सहायक समाहर्ता प्रथम श्रेणी,
भोरंज, जिला हमीरपुर (हि० प्र०) ।

ब अदालत श्रीमती सुषमा वत्स, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, जसवां कोटला, जिला कांगड़ा, हिमाचल प्रदेश

केस न०

तिथि दायरा

अगली तारीख पंशी

20/2001

4-4-2001

2-8-2001

श्री देस राज पुत्र श्री जयकरण पुत्र श्री रामा, वासी मुहाल व मौजा बठरा, तह० जसवां, जिला कांगड़ा प्रार्थी ।

बनाम

1. रक्षा देवी विधवा श्री धर्म सिंह, 2. दीना नाथ पुत्र श्री जयकरण, 3. श्रीमती चिन्ता देवी पुत्री श्री अमर सिंह, 4. श्री दलजीत सिंह, 5. श्री जगजीत सिंह, 6. श्री रणजित सिंह पुत्राण श्री दीना नाथ, 7. श्री बिक्रम सिंह पुत्र, 8. कुमारी सरोज, 9. कुमारी सुनीता पुत्रियां श्री धर्म सिंह, 10. श्री बरगमा सिंह, 11. श्री केशर सिंह, 12. श्री केशर सिंह पुत्राण, 13. श्रीमती चिन्ती विधवा श्री मिलखी, 14. श्री जोगिन्दर सिंह, 15. श्री सुखदेव सिंह पुत्राण श्री प्यारू, 16. श्री हरी सिंह पुत्र सोहणू, 17. श्री मलकीयत सिंह, 18. श्री बलवीर सिंह, 19. श्री राजेन्द्र सिंह, 20. श्री संजय कुमार पुत्राण श्री गोर सिंह, 21. श्रीमती पावती देवी विधवा श्री बजीर चन्द, 22. श्री सुरजीत सिंह, 23. श्री महिन्द्र सिंह, 24. श्री सतपाल, 25. श्री विजय कुमार पुत्राण श्री बजीर चन्द, 26. श्री तीर्थ राम पुत्र भगत राम, 27. श्री राम देव, 28. श्री लेखराज, 29. श्री राम स्वर्ण पुत्राण श्री जगत राम, 30. श्रीमती लीला देवी विधवा जगत राम, 31. श्री सतीश कुमार, 32. श्री जसवन्त सिंह, 33. श्री रमेश कुमार, 34. श्री सुवर्ण कुमार पुत्राण, 35. सुनीता देवी पुत्री श्री किशन चन्द, 36. श्रीमती इशरो देवी विधवा श्री किशन चन्द, समस्त वासीगण मुहाल व मौजा बठरा, तहसील जसवां, जिला कांगड़ा प्रार्थीगण ।

विषय.—प्रार्थना-पत्र बाबत तकसीम भूमि अराजी खाता नं० 23, खतीनी नं० 128 ता 143, खसरा किता 63, रकबा तावादी 4-86-18 हैक्टयर बाक्या मुहाल व मौजा बठरा अनुसार नकल जमाबन्दी हाल 1995-96 तहसील जसवां कोटला, जिला कांगड़ा, हिमाचल प्रदेश ।

उपरोक्त मुकद्दमा में तमाम प्रतिवादीगण को अदालत हजा द्वारा नोटिस/समन जारी किये गये, परन्तु फ्रीकबोयम नं० 1, 4 ता 9 तथा 17, 18, 20 ता 22 व 24, 25, 26 तथा 28 ता 30 और 32 ता 35 को समनों की तामील साधारण तरीके से न हो रही है और न ही फ्रीकबोयम का सही पत्र मालूम है । अतः इस इशतहार द्वारा उपरोक्त अनुपस्थित तमाम फ्रीकबोयम को सूचित किया जाता है कि वे दिनांक 2-8-2001 को प्रातः 10.00 बजे अदालत हजा में असालतन या बकालतन हाजर आवें तथा मुकद्दमा की पैरवी करें अन्यथा एक तरफा कार्यवाही अमल में लाई जावेगी ।

यह इशतहार आज दिनांक 8-5-2001 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया ।

मोहर ।

सुषमा वत्स,
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,
जसवां कोटला, जिला कांगड़ा,
हिमाचल प्रदेश ।

ब अदालत श्रीमती सुषमा वत्स, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, जसवां कोटला, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नं०	तिथि दायर	उत्तवान	अगली तारीख पंशी
26/2001	21-4-2001	तकसीम	2-8-2001

सुखदेव सिंह पुत्र अमर सिंह, स्वयं या मुख्तियारे धाम मिन जानिव सुरेश कुमार, नरेश कुमार पुत्राण सुखदेव सिंह, वासी मुहाल कुठेहड़ा, तहसील जसवां, जिला कांगड़ा, हिमाचल प्रदेश वादी ।

बनाम

1. प्रीतम सिंह पुत्र गैडा, 2. विनान दास पुत्र मन्था राम, 3. दर्शन दास, 4. राम दास पुत्राण धनेईया, 5. नरेश दास, 6. कम चन्द पुत्राण साधू, 7. चरण दास, 8. धर्म चन्द पुत्राण कहणू, समस्त वासीगण मुहाल कुठेहड़ा, तहसील जसवां प्रतिवादीगण ।

विषय.—दरखवास्त तकसीम अराजी भूमि खाता नं० 16, खतीनी नं० 26 ता 34, खसरा नं० किता 17 रकबा तावादी 1-64-45 है० बाक्या मुहाल कुठेहड़ा, तहसील जसवां, जिला कांगड़ा, हिमाचल प्रदेश अनुसार नकल जमाबन्दी वर्ष 1998-99.

उपरोक्त मुकद्दमा उनवान वाला में प्रतिवादीगण नं० 1 आ 8 को अदालत हुआ द्वारा बार-बार समन जारी किए गये परन्तु वे हाजर अदालत नहीं हो रहे हैं। अदालत हुआ को पूर्ण विश्वास हो गया है कि समनों की तामील साधारण तरीका से नहीं हो सकती।

अतः इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि पंजीकरोपम नं० 1 आ 8 मिति 2-8-2001 को प्रातः 10.00 बजे हाजर अदालत आकर पैरवी मुकद्दमा करें व सूरत गैरहाजरी उनके खिलाफ कार्यवाही यकतरफा अमल में लाई जायेगी। दीगर कोई उजर काबिले समाप्त न होगा।

आज दिनांक 23-5-2001 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

सुषमा बत्तस,
तहसीलदार एवं सहायक समाहता प्रथम श्रेणी,
जसवां कोटला, जिला कांगड़ा (हि० प्र०)।

व अदालत श्रीमती सुषमा बत्तस, कार्यकारी दण्डाधिकारी, तहसील जसवां, जिला कांगड़ा (हि० प्र०)

व मुकद्दमा: जन्म प्रमाण-पत्र

मुकद्दमा नं० 8/2001.

मध्वाला

बनाम

आम जनता

दरखवास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्रीमती मध्वाला ने इस न्यायालय में दरखवास्त दी है कि उसकी पुत्री प्रिया रानी का जन्म पंचाभत रिकांड में गलती से दर्ज न करवाया गया है। अब दर्ज किया जावे। इसकी पुत्री की जन्म तिथि 6-12-1995 है तथा बच्ची का जन्म गांव पट्टी में हुआ है।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई आपत्ति अगर हो तो वह दिनांक 2-8-2001 समय दस बजे प्रातः स्वयं अथवा किसी वांछित के माध्यम से हमारे समक्ष अदालत में हाजर आकर पेश करें अन्यथा एक तरफा कार्यवाही समक्ष में लाई जायेगी।

आज दिनांक 1-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सुषमा बत्तस,
कार्यकारी दण्डाधिकारी,
जसवां स्थित कोटला, जिला कांगड़ा (हि० प्र०)।

व अदालत श्री आर० बी० शान्दिलया, तहसीलदार एवं अख्यारात उप-रजिस्ट्रार, नूरपुर, जिला कांगड़ा (हि० प्र०)

उनवान मुकद्दमा:

श्री बीर बहादुर पुत्र श्री लाल बहादुर, निवासी गांव लोहारपुरा डाकघर सुल्ह्याली, तहसील नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश सायल।

बनाम

आम जनता

विषय:—प्राथना-पत्र बाबत किये जाने पंजीकृत वसीयतनामा जेर धारा 40-41 भारतीय पंजीकरण अधिनियम, 1968।

नोटिस बनाम आम जनता।

आम जनता को आगाह किया जाता है कि मृतक बीर बहादुर पुत्र श्री लाल बहादुर, निवासी लोहारपुरा, डाकघर सुल्ह्याली, तहसील नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश ने अपने जीते जी पूरे हाशों-हवाश से एक वसीयतनामा रबख गवाहान लिखा है जिसमें इसने अपनी चल-अचल सम्पत्ति अपने भाई बीर बहादुर पुत्र श्री लाल बहादुर के नाम 26-1-2001 एक वसीयतनामा द्वारा लिख दी है। अब सायल अपने भाई दिल बहादुर की मृत्यु दिनांक 27-1-2001 के उपरान्त पंजीकृत करवाना चाहता है।

इसलिए इस इशतहार राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जात है कि यदि वसीयतनामा पंजीकरण करने बारे कोई एतगज/आपत्ति हो तो वे असालनन या वकालतन दिनांक 31-7-2001 से पहले किसी कार्य दिवस वाले दिन या दिनांक 31-7-2001 को पेश कर सकते हैं। बाद मुजरमे मियाद वसीयतनामा नियमानुसार पंजीकृत कर दिया जावेगा।

आज दिनांक 25-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

आर० बी० शान्दिलया,
तहसीलदार एवं अख्यारात
उप-रजिस्ट्रार, नूरपुर,
जिला कांगड़ा (हि० प्र०)।

In the Court of Senior Sub Judge, Kinnaur at Reckong-
Peo, Himachal Pradesh

Case No. 2/2 of 1999

Next Date of hearing : 1-8-2001

In case:—

Shrimati Bhajanti Devi wd/o late Shri Sain r/o
Village Riba, Tehsil Moorang, District Kinnaur, Himachal Pradesh

..Petitioner.

Versus

General public

..Respondent.

Application under section 375 of Indian Succession Act, 1925 for the grant of Succession Certificate.

To

The general public.

Whereas in above noted case, the petitioner have filed the petition in this court for the grant of Succession Certificate and the same is fixed for 1-8-2001 for the service of general public.

Hence the proclamation under order 5, rule 20(1-A) CPC is hereby issued against the above noted defendants/respondents to appear before this court on 1-8-2001 at 10.00 A.M. personally or through authorised agent or pleader to defend the case, failing which the above noted respondent shall be proceeded against *ex parte*.

Given under my hand and seal of this court on 28-5-2001.

Sd/-
Senior Sub Judge,
Kinnaur at Reckong-Peo (H. P.).

इशतहार

अदालत उप-मण्डल दण्डाधिकारी, कल्या स्थित रिकांग-पिओ जिला किन्नौर (हि० प्र०)

श्रीमती उमेश पति बिधवा स्व० श्री दयाल चन्द, ग्राम बूआ, तहसील सांगला, जिला किन्नौर (हि० प्र०)।

वनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती उमेश पति विद्या स्व० श्री दयाल चन्द, ग्राम बुझा, तहसील सांगला, जिला किन्नौर (हि० प्र०) ने इस अदालत में जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 की धारा 13(3) के अन्तर्गत गुजारिश की है कि उसने अपने पति स्व० श्री दयाल चन्द ग्राम बुझा की मृत्यु दिनांक 19-12-1999 का पंजीकरण ग्राम पंचायत बुझा के अभिलेख में दर्ज न करवाई है। प्रार्थिया ने इस आशय का एक शपथ-पत्र भी आवेदन पत्र के साथ प्रस्तुत किया है तथा अनुरोध किया है कि अब प्रार्थिया के पति की मृत्यु दिनांक 19-12-1999 का इन्द्राज/पंजीकरण ग्राम पंचायत बुझा के अभिलेख में नियमानुसार दर्ज करने के निर्देश जारी किये जाएं।

अतः सर्वसाधारण को इशतहार हुआ के माध्यम से सूचित किया जाता है कि यदि किसी भी व्यक्ति को उपरोक्त मृतक की मृत्यु तिथि दिनांक 19-12-1999 के इन्द्राज/पंजीकरण पंचायत अभिलेख में करने वाले कोई आपति/एतराज हो तो वह लिखित/मौखिक रूप से असालतन या वकालतन अदालत हुआ में उपस्थित होकर दिनांक 3-8-2001 या इससे पूर्व प्रस्तुत करें अन्यथा यह समझा जाएगा कि प्रार्थिया के पति की मृत्यु तिथि ग्राम पंचायत बुझा में इन्द्राज/पंजीकरण करने वाले किसी को कोई आपति न है। उस आधार पर मृत्यु तिथि दर्ज/पंजीकरण करने सम्बन्धी आदेश नियमानुसार पारित कर दिए जाएंगे।

आज दिनांक 28-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
उप-मण्डल दण्डाधिकारी,
कल्पा स्थित रिकांग-पिओ,
जिला किन्नौर (हि० प्र०)।

य अदालत उप-मण्डल दण्डाधिकारी, कल्पा स्थित रिकांग-पिओ, जिला किन्नौर (हि० प्र०)

श्री विद्या सागर सूद पुत्र स्वर्गीय श्री भगवान दास सूद, हाल दुकानदार रिकांग-पिओ, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

वनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री विद्या सागर सूद पुत्र स्वर्गीय श्री भगवान दास सूद, हाल दुकानदार रिकांग-पिओ, तहसील कल्पा, जिला किन्नौर (हि० प्र०) ने इस अदालत में जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 की धारा 13(3) के अन्तर्गत गुजारिश की है कि उसने अपनी पुत्री का नाम व जन्म तिथि ग्राम पंचायत कोठी के अभिलेख में दर्ज न करवाई है। प्रार्थी ने इस आशय का एक शपथ-पत्र भी आवेदन पत्र के साथ प्रस्तुत किया है तथा अनुरोध किया है कि अब प्रार्थी की पुत्री का नाम व जन्म तिथि सम्बन्धित ग्राम पंचायत के अभिलेख में नियमानुसार दर्ज करने के निर्देश जारी किये जायें।

क्र०सं०	नाम	प्रार्थी के साथ सम्बन्ध	जन्म तिथि
1.	करिश्मा सूद	पुत्री	30-4-1991

अतः सर्वसाधारण को इशतहार हुआ के माध्यम से सूचित किया जाता है कि यदि किसी भी व्यक्ति को उपरोक्त व्यक्ति का नाम

व जन्म तिथि पंचायत अभिलेख कोठी में दर्ज/पंजीकरण करने वाले कोई आपति/एतराज हो तो वह लिखित/मौखिक रूप से असालतन या वकालतन अदालत हुआ में प्रस्तुत होकर दिनांक 21-8-2001 या इससे पूर्व प्रस्तुत करें अन्यथा यह समझा जाएगा कि प्रार्थी की पुत्री का नाम व जन्म तिथि ग्राम पंचायत कोठी में दर्ज करने वाले किसी को कोई आपति न है। इस आधार पर नाम व जन्म तिथि दर्ज करने सम्बन्धी आदेश नियमानुसार पारित कर दिए जाएंगे।

आज दिनांक 7-7-2001 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

हस्ताक्षरित/-
उप-मण्डल दण्डाधिकारी, कल्पा,
स्थित रिकांग-पिओ, जिला किन्नौर।

य अदालत उप-मण्डल दण्डाधिकारी, कल्पा स्थित रिकांग-पिओ, जिला किन्नौर (हि० प्र०)

श्री विद्या सागर सूद पुत्र स्वर्गीय श्री भगवान दास सूद, हाल दुकानदार रिकांग-पिओ, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

वनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

श्री विद्या सागर सूद पुत्र स्वर्गीय श्री भगवान दास सूद, हाल दुकानदार रिकांग-पिओ, तहसील कल्पा, जिला किन्नौर (हि० प्र०) ने इस अदालत में जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 की धारा 13(3) के अन्तर्गत गुजारिश की है कि उसने अपने निम्न पुत्र/पुत्री का नाम व जन्म तिथियां ग्राम पंचायत कल्पा के अभिलेख में दर्ज न करवाई है। प्रार्थी ने इस आशय का एक शपथ-पत्र भी आवेदन-पत्र के साथ प्रस्तुत किया है तथा अनुरोध किया है कि अब प्रार्थी के निम्न पुत्र/पुत्री के नाम व जन्म तिथियां सम्बन्धित ग्राम पंचायत के अभिलेख में नियमानुसार दर्ज करने के आदेश जारी किए जाएं।

क्रम संख्या	नाम	प्रार्थी के साथ सम्बन्ध	जन्म तिथि
1.	अनुपमा सूद	पुत्री	31-7-1975
2.	प्रदीप कुमार सूद	पुत्र	29-3-1979

अतः सर्वसाधारण को इशतहार हुआ के माध्यम से सूचित किया जाता है कि यदि किसी भी व्यक्ति को उपरोक्त के नाम व जन्म तिथि पंचायत अभिलेख कल्पा में दर्ज/पंजीकरण करने वाले कोई आपति/एतराज हो तो वह लिखित/मौखिक रूप से असालतन या वकालतन अदालत हुआ में उपस्थित होकर दिनांक 21-8-2001 या इससे पूर्व प्रस्तुत करें अन्यथा यह समझा जाएगा कि प्रार्थी के उपरोक्त पुत्र/पुत्री के नाम व जन्म तिथियां ग्राम पंचायत कल्पा में दर्ज करने वाले किसी को कोई एतराज न है। इस आधार पर नाम व जन्म तिथियां दर्ज करने सम्बन्धी आदेश नियमानुसार पारित कर दिए जाएंगे।

आज दिनांक 7-7-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
उप-मण्डल दण्डाधिकारी,
कल्पा स्थित रिकांग-पिओ,
जिला किन्नौर (हि० प्र०)।

व अदालत श्री सैन राम, कार्यकारी दण्डाधिकारी, उप-तहसील आनी,
जिला कुल्लू (हि0 प्र0)

इशतहार

व मुकद्मा :—

व अदालत श्री धर्म सिंह ठाकुर, सहायक समाहर्ता प्रथम श्रेणी
(तहसीलदार), जिला लाहौल एवं स्पिति, हिमाचल प्रदेश

श्री प्रेम चन्द पुत्र श्री गंधदास, गांव रापे, कोठी जीवरंग, जिला
लाहौल एवं स्पिति (हि0 प्र0) ।

वनाम

सरकार/ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

विषय.—इरखास्त वगैरे नाम तब्दीली ।

श्रीमती आशा देवी पत्नी उग्र सैन, निवासी धारा गौरा, डा0
घर धारा, तहसील रामपुर बुधहर, जिला शिमला हाल निवासी
तांछी, फाटी पलेही, कोठी हिमरी, उप तहसील आनी, जिला कुल्लू
(हि0 प्र0) ।

हल्फन ब्यान एवं आवेदन-पत्र श्री प्रेम चन्द पुत्र श्री गंधदास, गांव
रापे, कोठी जीवरंग, जिला लाहौल एवं स्पिति, (हि0 प्र0) ने आवेदन
किया है कि उसके पुत्र का नाम हीरोन स्कूल एवं पंचायत रिकार्ड में
दर्ज किया गया है जिसे वह बदल कर महेंद्र सिंह रखना चाहता है तथा
हीरोन की जन्म तारीख 16-6-89 है ।

अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता
है कि अगर इस बारे किसी को कोई आपत्ति हो तो वह दिनांक
31-7-2001 को इस न्यायालय में प्रातः 10.00 बजे असालतन या
वकालतन हाजिर आवें । गैर-हाजरी को सूरत में एक तरफा कार्य-
वाही अमल में लाई जावेगी ।

अतः जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम 1969 के तहत हीरोन का नाम बदल कर महेंद्र सिंह किया जाए
एवं तारीख पंदाईश 16-6-1989 का इन्दाज किया जाए के बारे किसी
को कोई उजर/एतराज हो तो वह अमालतन व वकालतन हाजिर
अदालत दिनांक 3-8-2001 को पेश होंवे अन्यथा एकतरफा कार्यवाही
अमल में लाई जाएगी ।

आज दिनांक 21-6-2001 को मेरे हस्ताक्षर व मोहर सहित
इस अदालत से जारी हुआ ।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व मोहर अदालत द्वारा
जारी किया गया ।

मोहर ।

सैन राम,
कार्यकारी दण्डाधिकारी,
उप-तहसील आनी, जिला कुल्लू (हि0 प्र0) ।

मोहर ।

धर्म सिंह ठाकुर,
सहायक समाहर्ता प्रथम श्रेणी (तहसीलदार),
लाहौल स्थान केलंग, जिला लाहौल एवं स्पिति (हि0 प्र0) ।

इशतहार

व अदालत श्री सैन राम, कार्यकारी दण्डाधिकारी, उप-तहसील आनी,
जिला कुल्लू (हि0 प्र0)

व मुकद्मा :

श्री कौल राम पुत्र जीवन दास, निवासी कण्ठा आरन, फाटी शिल्ही,
कोठी जांजा, उप-तहसील आनी, जिला कुल्लू (हि0 प्र0) ।

श्रीमती फुन्चोक डोलमा विधवा पाल सिंह पुत्र सनम छेरिंग, गांव व
कोठी गौशाल ।

वनाम

वनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

1. विजे सिंह पुत्र सनम छेरिंग पुत्र काहन दास, 2. सुखदास पुत्र
काहन दास, 3. देवी सिंह पुत्र प्रेम दास पुत्र काहन दास, 4. महेंद्र
चन्द, 5. प्रीतम सिंह, 6. रामकृष्ण पुत्र गणसुख दयाल पुत्र पंछी
राम, 7. प्रेमनाथ पुत्र पंछी राम, 8. रामनाथ पुत्र रूपचन्द, निवासी
गौशाल, तहसील लाहौल ।

श्री कौल राम पुत्र जीवन दास, गांव कण्ठा आरन, फाटी शिल्ही
कोठी जांजा, उप-तहसील आनी ने इस न्यायालय में निवेदन किया
है कि उसके पुत्र नोतीश की जन्म तिथि 31-12-1996 तथा
पुत्री पूजा देवी को जन्म तिथि 11-5-1998 है जो कि भूल-
चूक के कारण ग्राम पंचायत रोपा में दर्ज नहीं की गई है, जो कि
दर्ज करना बाजब है ।

मिसल नं0 (2)

उपरोक्त

अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता
है कि अगर इस बारे किसी को कोई आपत्ति हो तो वह दिनांक
31-7-2001 को इस न्यायालय में प्रातः 10.00 बजे असालतन या
वकालतन हाजिर आवें । गैर-हाजरी को सूरत में एक तरफा कार्य-
वाही अमल में लाई जावेगी ।

मुकद्मा तकसीम भूमि तादादी खसरा नं0 701, 762, 698, 700,
702, किता 5, रकबा 5-15 बीघा मुदजां खाता खतोनी नं0 69/96,97
जमा माल 1.28 पैसे जमाबन्दी साल 1991-92 वाक्या गांव व कोठी
गौशाल, तहसील लाहौल, जिला लाहौल एवं स्पिति, एवं मिसल
नं0 2 तकसीम भूमि रकबा तादादी 13-10 बीघा खसरा नं0 699,
763, 763/1, किता 3 खाता खतोनी नं0 67/94 जमा माल 0.21 पैसे
जमाबन्दी साल 1991-92 वाक्या गांव व कोठी गौशाल, जिला लाहौल
स्पिति (हि0 प्र0) ।

आज दिनांक 21-6-2001 को मेरे हस्ताक्षर व मोहर सहित
इस अदालत से जारी हुआ ।

उपरोक्त मुकद्मा तकसीम में प्रतिवादीगण को इस अदालत द्वारा कई
बार समन जारी किया गया परन्तु तामील न हो सका । अतः अदालत
की संतुष्टी के लिए यह सिद्ध हो चुका है कि उपरोक्त प्रतिवादीगण को
साधारण तरीके से तामील नहीं हो सकती है । अतः जेर धारा 126
हिमाचल प्रदेश भू0 राजस्व अधिनियम के तहत प्रदत्त शक्तियों का प्रयोग

मोहर ।

सैन राम,
कार्यकारी दण्डाधिकारी,
उप-तहसील आनी, जिला कुल्लू (हि0 प्र0) ।

करते हुए राजपट हिमाचल प्रदेश के माध्यम से समस्त प्रतिवादियों एवं सरकार को सूचित किया जाता है कि अगर उपरोक्त तकसिम बारा किसी को कोई उजर व एतराज हो तो वह असालतन या वकालतन हाजिर आकर पेरवी करे। पेरवी की तारीख 3-8-2001 को सुनिश्चित की गई है। अनुपस्थिति की अवस्था में यह समझा जाएगा कि किसी को भी इस बारे कोई उजर व एतराज न है तथा यकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व न्यायालय की मुद्रिका सहित जारी हुआ।

मोहर।

धर्म सिंह ठाकुर,
सहायक समाहर्ता (तहसीलदार),
लाहौल स्थान केलंग, हिमाचल प्रदेश।

इस्तहार

ब अदालत श्री धर्म सिंह ठाकुर, सहायक समाहर्ता प्रथम, श्रेणी (तहसीलदार), लाहौल स्थान केलंग, जिला लाहौल एवं स्पित, हिमाचल प्रदेश

राजू पुत्र नवांग छेरिंग, गांव केलंग, कोठी गुमरंग

वनाम

सरकार/आम जनता

विषय.—नाम दर्ज (जन्म एवं मृत्यु पंजीकरण) करवाने बारे।

आवेदक राजू पुत्र नवांग छेरिंग ने आवेदन-पत्र सहित हल्फिया व्यान पेश किया है कि उनके पिता छेरिंग की मृत्यु सेना में कार्य करते हुए हो गई है। जिसकी मृत्यु बारे पंचायत अभिलेख एवं राजस्व अभिलेख में कोई भी इन्दाज न हुआ है।

अतः जैर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 नवांग छेरिंग की मृत्यु पंचायत अभिलेख एवं राजस्व अभिलेख में दर्ज करवाने बारे अगर किसी को कोई उजर व एतराज हो तो वह असालतन या वकालतन हाजिर अदालत दिनांक 3-8-2001 को पेश होवे अन्यथा यकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

धर्म सिंह ठाकुर,
सहायक समाहर्ता प्रथम श्रेणी,
लाहौल स्थान केलंग, हिमाचल प्रदेश।

PROCLAMATION

Before Shri Varinder Sharma, Executive Magistrate
Tehsil Padhar, District Mandi (H. P.)

In the matter of :

Shri Lekh Ram s/o Shri Devi Ram, r/o Gawahan,
Tehsil Padhar, District Mandi, Himachal Pradesh
.. Applicant.

Versus

General public

.. Respondent.

Petition for birth registration u/s 13(3) Birth and
Death Registration Act, 1969.

Whereas, the petitioner Lekh Ram s/o Sh. Devi Ram, r/o Gawahan, P. O. Padwahan, Tehsil Padhar has moved an application to the facts that his date of birth in the Gram Panchayat concerned Baridhar is recorded only 48 years as of 1995 and has sought the relief that his date of birth may be ordered to be recorded as 4-9-1948 in the concerned Panchayat.

Whereas, the general public has been made as respondent and the undersigned has come to the satisfaction that the service upon the general public cannot be effected ordinarily. Now this proclamation is hereby issued u/o 5, rule 20, CPC and called the general public for filing the objections if any, to the petition applied for on or before the 28-7-2001 at 10.00 A.M. before the undersigned, failing which a *ex parte* order shall be passed and case would be disposed of accordingly.

Given under my hand and seal of the court today on this 28th day of June, 2001.

Seal.

VARINDER SHARMA,
Executive Magistrate,
Tehsil Padhar, District Mandi (H. P.).

PROCLAMATION

Before Shri Varinder Sharma, Executive Magistrate
Tehsil Padhar, District Mandi (H. P.)

In the matter of :

Shri Santu s/o Hirda, r/o Kufri, Tehsil Padhar,
District Mandi (H. P.)
.. Petitioner.

Versus

General public

.. Respondent.

An application for birth registration u/s 13(3) of Birth and Death Registration Act, 1969.

Whereas, the petitioner Santu s/o Hirda, r/o Kufri, Tehsil Padhar has moved an application u/s 13(3) of Birth and Death Registration Act, 1969 for his birth registration specifically as his date of birth is recorded only years 1949 which has caused the great obstruction to its necessity where falls.

Whereas, the general public has been made as respondent and undersigned has also come to the satisfaction that general public can't be summoned through an ordinary service and hence this proclamation u/o 5, rule 20, CPC is hereby issued and called the general public to come up on 28-7-2001 at 10.00 A.M. to file the objections if any to the contents of the petition on or before the date mentioned above failing which an *ex parte* order shall be passed and the case would be taken up accordingly.

Given under my hand and seal of the court today on this 28th day of June, 2001.

Seal.

VARINDER SHARMA,
Executive Magistrate,
Tehsil Padhar, District Mandi (H.P.).

PROCLAMATION

Before Shri Varinder Sharma, Executive Magistrate,
Tehsil Padhar, District Mandi (H. P.)

In the matter of :

Kanhya Ram s/o Chananu Ram r/o Bari Bajgan
.. Petitioner.

Versus

General public

.. Respondent.

Petition for birth registration u/s 13(3) of Birth & Death Registration Act, 1969.

Whereas, the petitioner Kanhya Ram s/o Channu Ram, r/o Bari Bajgan has moved an application duly supported by an affidavit u/s 13(3) of Birth & Death

Registration Act, 1969 with the contents that the date of birth in the panchayat records is recorded only 1967 whereas his date of birth contents be specifically mentioning therein day & month and therefore has prayed for the same by moving present application.

Whereas the general public has been made as respondent & undersigned has come to the satisfaction that the service upon general public cannot be got effect through an ordinary service and have this proclamation is issued u/o 5, rule 20, CPC & called the general public for filing objections, if any, to the contents of the petition on or before 31-7-2001 at 10.00 A.M. before the undersigned failing which an *ex parte* order shall be passed & case would be disposed off accordingly.

Given under my hand & seal of the court today on this 2nd day of July, 2001.

Seal. **VARINDER SHARMA,**
Executive Magistrate,
Tehsil Padhar, District Mandi (H.P.).

Before Shri Varinder Sharma, Executive Magistrate,
Tehsil Padhar, District Mandi, Himachal Pradesh

In the matter of :

Fagnu Ram s/o Manganu Ram, r/o Dhamchyan
.. Petitioner.

Versus

General public .. Respondent

Petition for birth registration u/s 13(3) of Birth & Death Registration Act, 1969.

Whereas, the petitioner Faganu Ram s/o Manganu Ram, r/o Dhamchyan, Tehsil Padhar has moved an application u/s 13 (3) of Birth & Death Registration Act for his birth registration duly supported vide an affidavit to the facts that his date of birth is not specified in accurate day & months but that is only year 1962 which is against the fact whereas the date of birth is claimed to have been 18-2-1962 which is sought to be ordered to register in Panchayat concerned.

Whereas the general public has been made as respondent by the petitioner & petitioner has come to the satisfaction that service upon the general public can not be got effect ordinarily and whereas this proclamation u/o 5, rule 20, CPC is hereby issued and called the general public for filing the objections if any to the contents of the petition on or before 31-7-2001 at 10.00 A.M. before the undersigned failing which an *exParte* order shall be passed and case would be decided accordingly.

Given under my hand and seal of the court today the 2nd day of July, 2001.

Seal. **VARINDER SHARMA,**
Executive Magistrate,
Tehsil Padhar, District Mandi (H.P.).

Before Shri Varinder Sharma, Executive Magistrate,
Tehsil Padhar, District Mandi (H. P.)

In the matter of :—

Karam Singh s/o Bhutaku Ram, r/o Kuljhan.
.. Petitioner.

Versus

General public .. Respondent.

An application u/s 13(3) of Brth and Death Registration Act, 1969 for Birth Registration.

Whereas, the petitioner Karam Singh s/o Bhutaku r/o Kuljhan, Post Office Bardhan, Tehsil Padhar has moved an application u/s 13(3) of Birth and Death Registration Act, 1969 with the contents that his date of birth in the Register concerned is registered only year 1966 whereas there is not month and date mentioned by the concerned panchayat and therefor moved the application for making order to register the specific day and month duly supported by an affidavit.

Hence the general public has been made as respondent and undersigned has also come to the satisfaction that the service upon general public cannot be got effected through an ordinary modes and hence this proclamation u/o 5, rule 20, CPC is hereby issued to called the general public for filing the objections of any to the contents of the petition on or before 31-7-2001 at 10.00 A.M. before the undersigned, failing which an *ex parte* order shall be passed against the absentee and the case would be dealt with likewise.

Given under my hand and Seal of the court today this 2nd day of July, 2001.

Seal. **VARINDER SHARMA,**
Executive Magistrate,
Tehsil Padhar,
District Mandi, (H.P.).

इश्तहार

ब अदालत श्री एन 0 एल 0 वर्धन, तहसीलदार एवं सहायक समाहर्ता
प्रथम श्रेणी, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्मा :

श्री चेत राम पुत्र राम दिता, निवासी कलश, डाकघर सरकाघाट
तहसील सरकाघाट, जिला मण्डी (हि 0 प्र 0) प्रार्थी ।

बनाम

ग्राम जनता

विषय.—प्रार्थना-पत्र जात एव गोट सुनात्रिक इन्द्राज नकल जमाबन्दी
1961-62 दर्ज करने बारे ।

उपरोक्त प्रार्थी ने हमारे समक्ष एक प्रार्थना-पत्र इस आशय से प्रस्तुत किया है कि 1961-62 नकल शजरा नस्ब में लुहार थी लेकिन बन्दोबस्त के दौरान प्रार्थी के पिता श्री राम दिता की जाति पटवारी के रिकार्ड में धीमान अंकित कर दी गई थी । प्रार्थी ने दोनों नकल शजरा नशब शामिल की है । प्रार्थी राजस्व अभिलेख में दफ्ती करवाना चाहता है । अतः ग्राम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि प्रार्थी की जाति लुहार दर्ज करने में किसी को आपत्ति हो तो वह दिनांक 2-8-2001 को प्रातः दस बजे असालतन या बकालतन हाजिर आकर उजर/एतराज पेश कर सकते हैं अन्यथा नियमानुसार कार्यवाही अमल में लाई जायेगी ।

मोहर ।

एन 0 एल 0 वर्धन,
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी,
हिमाचल प्रदेश ।

व अदालत श्री एन० एल० वर्धन, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

व मुकद्मा :

व्यास देव पुत्र काली दास, निवासी हरी, इलाका सुरांगा, तहसील सरकाघाट, जिला मण्डी (हि० प्र०)

बनाम

ग्राम जनता

प्रार्थीगण ।

विषय—प्रार्थना-पत्र नाम की दस्तूरी हेतु ।

उपरोक्त प्रार्थी ने एक प्रार्थना-पत्र इस आशय से प्रस्तुत किया है कि प्रार्थी का नाम राजस्व अभिलेख में देव दर्ज है जबकि पाठशाला के रिकार्ड में व्यास देव दर्ज है । प्रार्थी ने दरखास्त के साथ नकल परिवार रजिस्टर व नकल शजरा नशब व छाया प्रति नकल भूतपूर्व सैनिक का पहचान-पत्र संलग्न कर रखे हैं । प्रार्थी राजस्व अभिलेख में अपना नाम दर्ज करवाना चाहता है । अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि व्यास देव जिसका नाम राजस्व अभिलेख में देव दर्ज है कि दस्तूरी बारे किसी को आपत्ति हो तो वह दिनांक 1-8-2001 को प्रातः दस बजे असालतन या वकालतन अदालतन में हाजिर आकर उजर/एतराज पेश कर सकते हैं । अन्यथा कार्यवाही नियमानुसार अमल में लाई जाएगी ।

हमारे हस्ताक्षर व मोहर अदालत से आज दिनांक को जारी हुआ ।

मोहर ।

एन० एल० वर्धन,
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी (हि० प्र०) ।

व अदालत श्री एन० एल० वर्धन, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

व मुकद्मा :

श्री सन्त राम पुत्र देवी सिंह, गांव बेरा, इलाका भद्रोहता, तहसील सरकाघाट, जिला मण्डी (हि० प्र०)

बनाम

ग्राम जनता

फरीकदोयम ।

विषय—प्रार्थना-पत्र जात एवं मोन मुताबिक इन्द्राज दर्ज करने बारे जेर आडर 5, नियम 20, सी० पी० 0 सी० 10 ।

उपरोक्त प्रार्थी ने हमारे समक्ष एक प्रार्थना-पत्र इस आशय से प्रस्तुत किया है कि नकल शजरा नशब में उनकी जाति का इन्द्राज ब्राह्मण भाट गर्ग दौरान बन्दोबस्त दर्ज कागजात माल किया गया है आवेदक ने नकल शजरा नशब भी शामिल किए हैं । प्रार्थी राजस्व अभिलेख में दर्ज करवाना चाहता है । अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि प्रार्थी की जाति ब्राह्मण भाट गर्ग के बजाये ब्राह्मण भाट दर्ज करने में किसी को आपत्ति हो तो वह दिनांक 1-8-2001 को प्रातः दस बजे असालतन या वकालतन हाजिर उजर/एतराज पेश कर सकते हैं । अन्यथा इस मामले में एकतरफा कार्यवाही अमल में लाई जायेगी ।

आज दिनांक 19-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

एन० एल० वर्धन,
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी (हि० प्र०) ।

व अदालत श्री विजय चन्दन, उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी (हि० प्र०)

व मुकद्मा :

श्री मनी राम पुत्र श्री शिव राम, निवासी डडोह, डाकखाना अपर बहली, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश ।

बनाम

ग्राम जनता

प्रतिवादी ।

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

उपरोक्त मुकद्मा में श्री मनी राम प्रार्थी ने दिनांक 29-6-2001 को इस अदालत में एक प्रार्थना-पत्र पेश किया है कि उससे पिता शिव राम पुत्र श्री जबू राम की मृत्यु दिनांक 10-4-2000 को उसके निवास स्थान पर हुई थी लेकिन समय पर उनकी मृत्यु तिथि ग्राम पंचायत अपर बहली में दर्ज नहीं करवाई है । अब दर्ज करने के आदेश जारी किये जावें ।

अतः ग्राम जनता को इस इशतहार के द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को इस बारे कोई उजर/एतराज हो तो वह पेशी दिनांक 3-8-2001 समय 10.00 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करें अन्यथा दीगर कार्यवाही एक तरफा अमल में लाई जावेगी ।

आज दिनांक
अदालत से जारी हुआ ।

को मेरे हस्ताक्षर व मोहर

मोहर ।

विजय चन्दन,
उप-मण्डल दण्डाधिकारी, सुन्दरनगर,
जिला मण्डी, हिमाचल प्रदेश ।

व अदालत श्री बी० आर० सरोज, कार्यकारी दण्डाधिकारी, जुब्बल जिला शिमला, हिमाचल प्रदेश

व मुकद्मा :

श्री रमेश पुत्र कुम्भ दास, निवासी सोलंग, तहसील जुब्बल, जिला शिमला (हि० प्र०)

बनाम

ग्राम जनता

प्रतिवादी ।

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने बारे ।

उपरोक्त मुकद्मा में श्री रमेश कुमार प्रार्थी ने दिनांक 16-6-2001 को इस कार्यालय/अदालत में प्रार्थना-पत्र पेश किया है कि उसके जुड़वां पुत्र मनोज का जन्म दिनांक 12-3-1996 व राहुल का जन्म दिनांक 12-3-1996 को ग्राम सोलंग, तहसील जुब्बल, जिला शिमला (हि० प्र०) में हुआ है । लेकिन समय पर उनकी जन्म तिथि ग्राम पंचायत सोलंग के अभिलेख में दर्ज नहीं करवाई जा सकी है । इसलिए अब दर्ज करने के लिए इस अदालत में आवेदन कर रखा है ।

अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारे कोई उजर व एतराज आदि

हो तो वह तारीख पेची दिनांक 28-7-2001 को समय दस बजे सुबह या इससे पूर्व असावतन/वकालतन हाजर अदालत आकर पेश कर सकता है। इसके उपरान्त किसी किस्म का कोई एतराज मान्य न होगा और आवेदन-पत्र के मुताबिक आवेदक को बच्चे की जन्म तिथियां पंवायते अभिलेख में दर्ज करने के आदेश न्यायाद्वारा प्रदान किए जायेंगे।

आज दिनांक 16-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

बी० थार० मरोज,
कार्यकारी दण्डाधिकारी, जूबल,
जिला शिमला, हिमाचल प्रदेश।

In the Court of District Judge, Kinnaur, Civil Division
at Rampur Bushahr (H. P.)

Application No. 1-R/5 of 2001

In re :

Shri Jai Singh son of late Sh. Uma Cherring,
aged 21 years, resident of Village Panvi, Tehsil Nichar,
District Kinnaur (H. P.) .. Applicant.

Versus

General public

Application under section 10 of the Guardians and Wards Act, 1890 for the appointment of guardian of person and property of the minors Kalam Singh and Madan Lal.

Notice to :

The general public.

Whereas in the aforesaid case, application under Section 10 of the Guardians and Wards Act, 1890 has been moved by the above named applicant for the appointment of guardian of the person and property of the minors Kalam Singh and Madan Lal, both his younger brothers, in respect of two roomed house and land situated in Up-Mohal Phakrodar dhar in village Panvi in Kinnaur District bearing Khata Khatoni No. 42/101, Khasra No. 123 and 124, Measuring 0-07-03 and 0-05-92 hecets., respectively and land situated in Up-Mohal Vurcha in village Panvi bearing Khata Khatoni No. 48/96, Khasra Nos. 217 and 218, measuring 0-07-20 hecets. and 0-16-83 hecets. respectively to the extent of one third share, as well as to produce the guardianship certificate before the concerned Himachal Pradesh State Electricity Board's office to receive the payment of D. C. R. G., payable to the minors, in respect of late Shri Uma Cherring, who was an employee in H. P. S. E. B. and who died on 3-12-1999. The next date for hearing of the aforesaid application has been fixed 1-8-2001 by this Court.

Hence, this proclamation is hereby issued to the general public to appear and oppose the aforesaid application by filing objection (s), if any, as to why this petition be not allowed, personally or through an authorised agent/pleader on or before 1-8-2001, failing which the application will be heard and disposed of *ex-parte*.

Given under my hand and the seal of the Court today this 18th day of June, 2001.

Seal.

Sd/-
District Judge,
Kinnaur Division at Rampur Bushahr (H.P.).

In the Court of Shri S. L. Saini, Collector, Sub Division
Rohru, District Shimla, Himachal Pradesh

Case No. 58/98

In case:

Chinta Devi wd/o Thakur Sain, r/o Village Banoti,
Tehsil Chirgaon, District Shimla .. Petitioner.

Versus

1. Shri Rajesh Kumar s/o Inder Singh, r/o Village
Banoti, Tehsil Chirgaon .. Principal Respondent.

2. Shri Raj Kumar s/o Thakur Sain, 3. Shushesha
Devi, 4. Babita Devi, 5. Suresh Kumar, all sons and
daughter of Thakur Sain minors through natural
guardian Shrimati Chinta Devi wd/o Thakur Sain, r/o
Village Banoti, Tehsil Chirgaon, District Shimla,
Himachal Pradesh .. Performa Respondents.

Petition u/s 17 of Himachal Pradesh Land Revenue Act with a prayer to call for the mutation proceedings of late Shri Thakur Sain *vide* mutation No. 37 dated 21-5-1998 and to set aside the same since the same has been attested on illegal notion ignoring the law of succession.

Notice to:
Respondent No. 1.

Whereas in the above noted case it has been proved to the satisfaction of this court that above named respondent No. 1 is avoiding the service of summon and cannot be served in the ordinary way. Hence this proclamation is hereby issued against him to appear in this court on 30-7-2001 at 10.00 A.M. to defend the case personally or through an authorised agent or pleader failing which *ex parte* proceedings will be taken against him.

Given under my hand and seal of the court this 8th day of June, 2001.

Seal.

S. L. SAİNI,
Collector Sub Division Rohru,
District Shimla (H. P.).

IN THE HIGH COURT OF HIMACHAL PRADESH
AT SHIMLA

ORIGINAL JURISDICTION

In the matter of the Companies Act, 1956.

and

In the matter of Surya Pharmaceutical Ltd. (Transferee Company), a company incorporated under the Companies Act, 1956 having its Registered Office at 85, HPSIDC Industrial Area, Baddi, District Solan, Himachal Pradesh.

and

In the matter of scheme of amalgamation of Surya Pharmaceutical Ltd., having its Registered Office at 85, HPSIDC Industrial Area, Baddi, District Solan, Himachal Pradesh (Transferee Company), and Sam Biotech Ltd., having its Registered Office at Village Banur, Tehsil Rajpura (Punjab) (Transferor Company).

Company Petition No. 4 of 2001

NOTICE OF HEARING

A petition under Section 394 of the Companies Act, 1956 for amalgamation of Surya Pharmaceutical Ltd. (Transferee Company), and Sam Biotech Ltd. (Transferor Company) was presented by Surya Pharmaceutical Ltd., on 29-01-2001 and the said petition is fixed

for hearing before the Company Judge on Monday, the 6th day of August, 2001. Any person desirous of supporting or opposing the said petition should send to the petitioner's Advocate, Shri Kapil Dev Sood, notice of his intention, signed by him or his Advocate, with his name and address, so as to reach Shri Kapil Dev Sood, Advocate not later than 2 days before the date fixed for the hearing of the petition. Where he seeks to oppose the petition the grounds of opposition or copy of the affidavit shall be furnished with such notice. Copy of the petition will be furnished by the petitioner to any person requiring the same on payment of the prescribed charges for the same.

KAPIL DEV SOOD,
(Advocate for the Petitioner).
Dalziel Lodge, Behind SBI Main Branch,
The Mall, Shimla-171 003 (H. P.).

ब अदालत श्री राजेश शर्मा, उप-मण्डल दण्डाधिकारी (ग्रा०)
शिमला, जिला शिमला (हि० प्र०)

श्रीमती बिमला देवी पत्नी श्री पूर्ण चन्द, निवासी ग्राम घाटङ्ग
डा० मरहिल, तहसील व जिला शिमला (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधि-
नियम, 1969.

श्रीमती बिमला देवी ने इस अदालत में एक आवेदन-पत्र इस
आशय के साथ गुजारा है कि उसके बेटे विजय कुमार का नाम व
जन्म तिथि 8-1-1996 उनकी ग्राम पंचायत नेरी के अभिलेख में
दर्ज नहीं कर रखी है, जो अब दर्ज की जावे।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया
जाता है कि यदि किसी को भी उक्त आवेदिका के बेटे का जन्म व
जन्म तिथि उनकी ग्राम पंचायत नेरी के अभिलेख में दर्ज करने
में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 31-7-2001
तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता
है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को नाम व जन्म तिथि
उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर
दिए जाएंगे।

आज दिनांक 30-6-2001 को मेरे हस्ताक्षर व मोहर अदालत
सहित जारी हुआ।

मोहर।

राजेश शर्मा,
उप-मण्डल दण्डाधिकारी,
शिमला (ग्रा०), जिला शिमला (हि० प्र०)।

ब अदालत श्री राजेश शर्मा, उप-मण्डल दण्डाधिकारी (ग्रा०), शिमला
जिला शिमला (हि० प्र०)

श्रीमती कमला देवी पत्नी स्वर्गीय श्रीम प्रकाश उर्फ भूमि प्रकाश,
निवासी गांव डमोंग धरोण्डा, परगना सराज, तहसील सुन्नी, जिला
शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में
दर्ज करने बारे।

श्रीमती कमला देवी ने इस अदालत में एक आवेदन-पत्र इस
आशय के साथ गुजारा है कि उसके पति श्री श्रीम प्रकाश उर्फ भूमि
प्रकाश का नाम उनकी ग्राम पंचायत धरोण्डा के अभिलेख में दर्ज
नहीं कर रखा है, जो अब दर्ज किया जावे।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया
जाता है कि यदि किसी को भी उक्त आवेदिका के पति का नाम
उनकी ग्राम पंचायत धरोण्डा के अभिलेख में दर्ज करने में कोई
आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 31-7-2001
तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता
है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को नाम उनकी ग्राम
पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 30-6-2001 को मेरे हस्ताक्षर एवं मोहर अदालत
सहित जारी हुआ।

मोहर।

राजेश शर्मा,
उप-मण्डल दण्डाधिकारी शिमला (ग्रा०),
जिला शिमला (हि० प्र०)।

ब अदालत श्री राजेश शर्मा, उप-मण्डल दण्डाधिकारी, शिमला (ग्रा०),
जिला शिमला, हिमाचल प्रदेश

श्री रूप लाल पुत्र श्री लच्छू राम, निवासी बगैण, तहसील सुन्नी,
जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम,
1969 बाबत नाम व शादी पंचायत अभिलेख में दर्ज करने बारे।

श्री रूप लाल ने इस अदालत में एक आवेदन-पत्र इस आशय
के साथ गुजारा है कि उसकी पत्नी श्रीमती चन्दावती का नाम व
शादी की तिथि 10-8-1999 उनकी ग्राम पंचायत शकरोड़ी के
अभिलेख में दर्ज नहीं कर रखी है, जो अब दर्ज की जावे।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया
जाता है कि यदि किसी को भी उक्त आवेदक की पत्नी का नाम व
शादी की तिथि उनकी ग्राम पंचायत शकरोड़ी के अभिलेख में दर्ज करने
में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक
30-7-2001 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत
कर सकता है अन्यथा सचिव सम्बन्धित पंचायत को नाम
व शादी की तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश
पारित कर दिए जाएंगे।

आज दिनांक 30-6-2001 को मेरे हस्ताक्षर व मोहर अदालत
सहित जारी हुआ।

मोहर।

राजेश शर्मा,
उप-मण्डल दण्डाधिकारी, शिमला (ग्रा०),
जिला शिमला, हिमाचल प्रदेश।

ब अदालत श्री राजेश शर्मा, उप-मण्डल दण्डाधिकारी (ग्रा०), शिमला,
जिला शिमला, हिमाचल प्रदेश

श्री जय किशन पुत्र श्री बालक राम, निवासी गांव क्वान्त,
तहसील एवं जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा (13) 3 जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज
करने बारे।

श्री जय किशन ने इस अदालत में एक आवेदन-पत्र इस आशय
के साथ गुजारा है कि उसके बेटे सुनील कुमार का नाम व
जन्म तिथि 3-6-1995, उनकी ग्राम पंचायत आनन्दपुर के अभिलेख
में दर्ज नहीं कर रखी है, जो अब दर्ज की जावे।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक के बेटे के नाम व जन्म तिथि उनकी ग्राम पंचायत आनन्दपुर के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 31-7-2001 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 30-6-2001 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

राजेश शर्मा,
उप-मण्डल दण्डाधिकारी, शिमला (ग्रा०),
जिला शिमला, हिमाचल प्रदेश।

व अदालत श्री राकेश शर्मा (हि० प्र० से०), उप-मण्डल दण्डाधिकारी
नाहन, जिला सिरमौर, हिमाचल प्रदेश

व मुकदमा:

श्री रमेश चन्द पुत्र श्री तेज राम, निवासी ग्राम मात्तर,
तहसील नाहन, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

नोटिस बनाम ग्राम जनता।

श्री रमेश चन्द पुत्र श्री तेज राम, निवासी ग्राम मात्तर, तहसील नाहन, जिला सिरमौर ने दरखास्त गुजारी है कि उसके पुत्र का नाम अमनदीप शर्मा है परन्तु गलती से उसका नाम ग्राम पंचायत मात्तर के रिकार्ड में कृष्ण दत्त दर्ज करा दिया गया है जिसकी दस्तूरी ग्राम पंचायत के रिकार्ड में करवाना चाहता है।

प्रार्थी श्री रमेश चन्द का आवेदन-पत्र ग्राम पंचायत एवं विकास अधिकारी, मात्तर को रिपोर्ट हेतु भेजा गया था जिसने अपनी रिपोर्ट में पुष्टि की है कि श्री रमेश चन्द के पुत्र का नाम ग्राम पंचायत के रिकार्ड में कृष्ण दत्त दर्ज किया गया है।

अतः इस नोटिस द्वारा समस्त जनता ग्राम मात्तर व प्रार्थी श्री रमेश चन्द के रिश्तेदारों को सूचित किया जाता है कि यदि किसी को भी श्री रमेश चन्द के पुत्र अमनदीप शर्मा के नाम की दस्तूरी करने में कोई उजर/एतराज हो तो वह दिनांक 30 जुलाई, 2001 प्रातः 10.00 बजे तक अदालत हुआ स्थित नाहन में असालतन या वकालतन हाजिर आकर दर्ज करा सकता है। निर्धारित अवधि तक कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री रमेश चन्द पर नियमानुसार कार्यवाही अमल में लाई जायेगी।

आज दिनांक 5 जुलाई, 2001 को मेरे हस्ताक्षर एवं कार्यालय मोहर अदालत द्वारा जारी किया गया।

मोहर।

राकेश शर्मा,
उप-मण्डल दण्डाधिकारी,
नाहन, जिला सिरमौर,
हिमाचल प्रदेश।

व अदालत श्री डी० आर० वर्मा, सहायक समाहर्ता प्रथम श्रेणी
(तहसीलदार), नाहन, हिमाचल प्रदेश

मिसल नं० 60/अफ 2001 दावा सेहत इन्द्राज राजस्व कागजात

नगर पालिका, नाहन, जिला सिरमौर, हिमाचल प्रदेश . . प्रार्थी।

बनाम

सन्त राम पुत्र राम सिंह पुत्र नामालूम, निवासी अमरपुर, शहर
नाहन, तहसील नाहन, हिमाचल प्रदेश . . प्रत्यार्थी।

नोटिस बनाम आम जनता।

दरखास्त सेहत इन्द्राज भूमि खाना नं० 425 मिन, खतीनी नं० 724, खसरा नम्बर 1315, नादादी रकवा 136-60 वर्ग मीटर, वाका महाल अमरपुर शहर नाहन, तहसील नाहन, हिमाचल प्रदेश।

नगरपालिका नाहन, शहर नाहन, तहसील नाहन, जिला सिरमौर, हिमाचल प्रदेश ने इस अदालत में प्रार्थना-पत्र दिया है कि अराजी खाना/खतीनी नम्बर 425 मिन/724, खसरा नम्बर 1315 नादादी रकवा 136-60 वर्गमीटर वाका महाल अमरपुर शहर नाहन से प्रतिवादी श्री सन्त राम पुत्र श्री राम सिंह, निवासी महाल अमरपुर शहर नाहन का इन्द्राज जो बतौर किरायेदार जमाबन्दी वर्ष 1996-97 तक दर्ज चला आ रहा है, को खारिज किया जाए, चूंकि बादी द्वारा आवेदन में स्पष्ट किया गया है कि इस समय भूमि वादग्रस्त पर नगरपालिका का कब्जा है; और प्रतिवादी यहां पर निवास नहीं कर रहा है। प्रतिवादी को इस अदालत द्वारा समन प्रेषित किया गया जो इस आशय की रिपोर्ट के साथ वापिस प्राप्त हुआ है कि प्रतिवादी कई साल में लापता है। अतः इस इशतहार द्वारा प्रतिवादी व आम जनता को सूचित किया जाता है कि यदि प्रतिवादी या आम जनता को कोई उजर व एतराज हो तो इस अदालत में असालतन या वकालतन वह अपना आपत्तिनामा दिनांक 6-8-2001 तक या इससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा अदम हानरी में कार्यवाही एकरफा अमल में लाई जायेगी।

आज दिनांक 11-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

डी० आर० वर्मा,
महायक समाहर्ता प्रथम श्रेणी,
नाहन, जिला सिरमौर,
हिमाचल प्रदेश।

व अदालत डा० एम० पी० सुद, उप-मण्डल दण्डाधिकारी, पांवडा
साहिब, जिला सिरमौर (हि० प्र०)

श्री राय सिंह पुत्र बलवीर, गांव भारापुर, तहसील पांवडा, जिला सिरमौर (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री राय सिंह पुत्र बलवीर, गांव भारापुर, तहसील पांवडा ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसका स्वयं का जन्म दिनांक 15-4-1967 को हुआ था परन्तु अज्ञानतावश उसकी जन्म तिथि ग्राम पंचायत धौलाकुआ के रिकार्ड में 1967 दर्ज की गई है जो गलत है।

अतः सर्वसाधारण को इस इशतहार के माफत सूचित किया जाता है कि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक 2-8-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित पांवडा में असालतन या वकालतन हाजिर आकर दर्ज करा सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने की सूत्र में प्रार्थना-पत्र श्री राय सिंह पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व कार्यालय मोहर अदालत द्वारा जारी किया गया।

मोहर।

एम० पी० सुद,
उप-मण्डल दण्डाधिकारी, पांवडा साहिब,
जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत डा0 एम0 पी0 सूद, उप-मण्डल दण्डाधिकारी
पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश

श्री प्रमोद कुमार पुत्र श्री धनी राम, गांव ब्यास, तहसील पांवटा,
जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधि-
नियम, 1969.

श्री प्रमोद कुमार पुत्र श्री धनी राम, निवासी ग्राम ब्यास, तहसील
पांवटा ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसकी लड़की
नाम दिव्या का जन्म दिनांक 14-7-1997 को हुआ था परन्तु अज्ञानता-
वश वह उसकी जन्म तिथि ग्राम पंचायत ब्यास के रिकार्ड में दर्ज नहीं
करा सका है।

अतः सर्वसाधारण को इस इशतहार के मार्फत सूचित किया जाता है
कि इन बारे किसी को कोई उजर व एतराज हो तो वह दिनांक
2-8-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित पांवटा में
अमानतन या वकालतन हाजिर आकर दर्ज करा सकता है।
निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने की
सूरत में प्रार्थना-पत्र श्री प्रमोद कुमार पर नियमानुसार कार्यवाही की
जाएगी।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व मोहर अदालत
द्वारा जारी किया गया।

मोहर।

एम0 पी0 सूद,
उप-मण्डल दण्डाधिकारी, पांवटा साहिब,
जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत डा0 एम0 पी0 सूद, उप-मण्डल दण्डाधिकारी
पांवटा साहिब, जिला सिरमौर (हि0 प्र0)

श्री छोटा राम पुत्र ज़ोंपी राम, निवासी सतीवाला, तहसील
जिलाई, जिला सिरमौर (हि0 प्र0)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम,
1969.

श्री छोटा राम पुत्र ज़ोंपी राम ने इस अदालत में एक प्रार्थना-पत्र
दिया है कि उसका नाम छोटा राम है परन्तु पंचायत रिकार्ड ग्राम पंचायत
सतीवाला में उसका नाम रोड़ा राम किया गया है जोकि गलत है।

अतः सर्वसाधारण को इस इशतहार के मार्फत सूचित किया
जाता है कि इन बारे किसी व्यक्ति को कोई एतराज हो तो
वह दिनांक 2-8-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित
पांवटा साहिब में अमानतन अथवा वकालतन हाजिर आकर अपनी
स्थिति/एतराज प्रस्तुत कर सकता है। निर्धारित तिथि पर कोई एतराज
प्राप्त न होने की सूरत में प्रार्थना-पत्र श्री छोटा राम पर नियमानुसार
कार्यवाही की जाएगी।

आज दिनांक 3-7-2001 को मेरे हस्ताक्षर व कार्यालय मोहर
अदालत द्वारा जारी किया गया।

मोहर।

एम0 पी0 सूद,
उप-मण्डल दण्डाधिकारी, पांवटा साहिब,
जिला सिरमौर (हि0 प्र0)।

ब अदालत डा0 एम0 पी0 सूद, उप-मण्डल दण्डाधिकारी, पांवटा
साहिब, जिला सिरमौर, हिमाचल प्रदेश

श्री नवीन कुमार पुत्र राम सरन, निवासी पांवटा, तहसील पांवटा,
जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम,
1969.

श्री नवीन कुमार पुत्र श्री राम सरन, निवासी पांवटा ने इस
अदालत में एक प्रार्थना-पत्र गुजारा है कि उसकी लड़की नाम शिवाली
का जन्म दिनांक 19-12-1999 को हुआ था परन्तु अज्ञानतावश
उसका जन्म नगरपालिका परिषद् पांवटा के रिकार्ड में दर्ज नहीं
करा सका है।

अतः सर्वसाधारण को इस इशतहार के मार्फत सूचित किया जाता
है कि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक
7-8-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित पांवटा में
अमानतन या वकालतन हाजिर आकर दर्ज करा सकता है।
निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने की सूरत में
प्रार्थना-पत्र श्री नवीन कुमार पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 7-6-2001 को मेरे हस्ताक्षर व कार्यालय मोहर
अदालत द्वारा जारी किया गया।

मोहर।

एम0 पी0 सूद
उप-मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर,
हिमाचल प्रदेश।

ब अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़
जिला सिरमौर, हिमाचल प्रदेश

श्री नरेश कुमार पुत्र श्री रत्ती राम, निवासी रेड़ी गुसान,
बस्ती तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री नरेश कुमार पुत्र श्री रत्ती राम, निवासी रेड़ी गुसान,
तहसील राजगढ़, जिला सिरमौर (हि0 प्र0) ने इस अदालत
में एक प्रार्थना-पत्र गुजारा है कि उसकी पुत्री कुमारी ज्योती का
जन्म तिथि 10-3-1996 को हुआ है। जिसका नाम ग्राम पंचायत ठोड़
निवाड़, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने बारे
किसी को कोई एतराज हो तो वह तिथि 30-7-2001 को या
इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा
पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि दर्ज करने द्वारा
आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा
उप-मण्डल दण्डाधिकारी, राजगढ़
जिला सिरमौर (हि0 प्र0)।

ब अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण
अधिनियम, 1969.

श्री मन बहादुर पुत्र बल बहादुर, निवासी खेड़ाधार, तहसील राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधि-
नियम, 1969.

श्री मन बहादुर पुत्र श्री बल बहादुर, निवासी ग्राम खेड़ाधार, ग्राम
पंचायत भूईरा, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस
कार्यालय में अर्जी पेश की है कि उसकी अपनी मनबहादुर की जन्म तिथि
20-3-1961 की है। जिसका नाम ग्राम पंचायत भूईरा, तहसील
राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने
बारे किसी को कोई एतराज हो तो वह इस तिथि 30-7-2001 को या
इससे पूर्व हाजिर आकर अपना एतराज पेश कर सकता है। अन्यथा
पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि दर्ज करने वारा
आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

ब अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश

श्री हकम सिंह पुत्र लच्छी राम, निवासी धाईला देबठी, तहसील
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण
अधिनियम, 1969.

श्री हकम सिंह पुत्र श्री लच्छी राम, निवासी ग्राम धाईला देबठी,
तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में
गुजारिश पेश की है कि उसकी पुत्री कुमारी मुलखा का जन्म तिथि
10-10-1994 को हुआ है जिसका नाम ग्राम पंचायत धाईला देबठी,
तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0 ए0 सी0
रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि
30-7-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर
सकता है। अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म
तिथि दर्ज करने वारा आदेश जारी कर दिए जाएंगे।

मेहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

ब अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़
जिला सिरमौर (हि0 प्र0)

श्री अमर सिंह पुत्र कालट, निवासी ग्राम भनोग, तहसील राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

श्री अमर सिंह पुत्र श्री कालट, निवासी ग्राम भनोग, तहसील राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश पेश की है
कि उसकी पुत्री कुमारी पूजा देवी का जन्म तिथि 11-7-1995 को हुआ
है। जिसका नाम ग्राम पंचायत डिम्बर, तहसील राजगढ़ में दर्ज नहीं
हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0 ए0 सी0
रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि
30-07-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर
सकता है अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि
दर्ज करने वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

ब अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़
जिला सिरमौर, हिमाचल प्रदेश

श्री बलबन्त सिंह पुत्र श्री गंगा राम, निवासी ग्राम भाटकास्याना,
तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण
अधिनियम, 1969.

श्री बलबन्त सिंह पुत्र श्री गंगा राम, निवासी ग्राम भाटकास्याना, तहसील
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश
की है कि उसकी पुत्रियां कुमारी प्रीती व कुमारा दामनी की जन्म तिथियां
24-09-96 व 26-06-98 को हुआ है। जिसका नाम ग्राम पंचायत
भूईरा, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथियां पंचायत रिकार्ड/एन0 ए0
सी0 रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि
30-07-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर
सकता है। अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म
तिथियां दर्ज करने वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

ब अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़
जिला सिरमौर, हिमाचल प्रदेश

श्री विवेक शर्मा पुत्र श्री रामा नन्द, निवासी मटनाली, तहसील
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधि-
नियम, 1969.

श्री विवेक शर्मा पुत्र श्री रामा नन्द, निवासी ग्राम मटनाली,
तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस
कार्यालय में गुजारिश पेश की है कि उसकी पुत्री विशाली शर्मा का जन्म
तिथि 25-1-1998 को हुआ है जिसका नाम ग्राम पंचायत सेर जगास
तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0ए0सी0 रिकार्ड में दर्ज करने वाले किसी को कोई एतराज हो तो वह तिथि 30-7-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है। अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि दर्ज करने द्वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

व अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्री आत्मा राम पुत्र श्री जमनु राम, निवासी शाया-सनौरा, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम, 1969.

श्री आत्मा राम पुत्र श्री जमनु राम, निवासी ग्राम शाया-सनौरा, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गजारिज पेश की है कि उसकी पुत्री कुमारी अन्नु का जन्म तिथि 20-02-1996 को हुआ है जिसका नाम ग्राम पंचायत शाया-सनौरा, तहसील राजगढ़ में दर्ज नहीं हुआ।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0ए0सी0 में दर्ज करने वाले किसी को कोई एतराज हो तो वह तिथि 30-7-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है। अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने द्वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

व अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्रीमती मुनीता पुत्री श्री किरपू, निवासी ग्राम जमलोग, डाकघर बासनी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम, 1969.

श्रीमती मुनीता पुत्री श्री किरपू, निवासी ग्राम जमलोग, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गजारिज पेश की है कि उसकी पुत्री कुमारी पूनम का जन्म तिथि 07-07-1998 को हुआ है जिसका नाम ग्राम पंचायत बासनी, तहसील पच्छाद में दर्ज नहीं हुआ।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0ए0सी0 में दर्ज करने वाले किसी को कोई एतराज हो तो वह तिथि 30-7-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने द्वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,

व अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़, जिला सिरमौर, हिमाचल प्रदेश

श्री नन्द लाल पुत्र पुन्नु राम, निवासी पलाशला, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम, 1969.

श्री नन्द लाल पुत्र श्री पुन्नु राम, निवासी ग्राम पलाशला, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में अर्जी पेश की है कि उसकी पुत्रियां कुमारी पूजा व कुमारी रंजना की जन्म तिथियां 2-1-1999 व 31-3-2001 को हुआ है। जिसका नाम ग्राम पंचायत करगाण, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने वाले किसी को कोई एतराज हो तो वह तिथि 30-7-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है। अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि दर्ज करने द्वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उपमण्डल दण्डाधिकारी, राजगढ़,
जिला सिरमौर (हि0 प्र0)।

व अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्रीमती चम्पा देवी पत्नी स्व0 चतर सिंह, निवासी चलकाना, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम, 1969.

श्रीमती चम्पा देवी पत्नी स्व0 चतर सिंह, निवासी ग्राम चलकाना, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गजारिज की है कि उसके पति सुनील कुमार का जन्म दिनांक 3-1-96 को हुआ है। जिसका नाम ग्राम पंचायत बजगा, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने वाले किसी को कोई एतराज हो तो वह तिथि 6-8-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि दर्ज करने द्वारा आदेश जारी कर दिए जाएंगे।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी, राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश।

व अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल दण्डाधिकारी राजगढ़, जिला सिरमौर, हिमाचल प्रदेश

श्री गुरुमुख राम पुत्र मनशा राम, निवासी काहन, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस वनाम ग्राम जनता ।

श्री गुरुमुख राम पुत्र मनशा राम, निवासी ग्राम काहन, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश पेश की है कि उसकी अपनी गुरुमुख राम का जन्म तिथि 17-10-1960 को हुआ है। जिसका नाम ग्राम पंचायत वनाहां घिनी, तहसील पच्छाद में दर्ज नहीं हुआ है।

श्री श्याम सिंह सुपुत्र श्री गोकुल सिंह, निवासी एम0ई0एम0 कलौनी, कसौली, तहसील कसौली ने इस न्यायालय में प्रार्थना-पत्र पेश किया है कि मेरे सुपुत्र धन बहादुर का जन्म 6-8-1995 को मेरे क्वार्टर एम0ई0एस0 कलौनी, कसौली में हुआ था किसी कारणवश छावनी मण्डल के कार्यालय में दर्ज न करवा सका। अब दर्ज करवाना चाहता है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने वाले किसी को कोई एतराज हो तो वह तिथि 6-8-2001 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है। अन्यथा पंचायत सचिव को सम्बन्धित उक्त नाम व जन्म तिथि दर्ज करने वारा आदेश जारी कर दिए जाएंगे।

अतः इस नोटिस द्वारा सर्व साधारण जनता को सूचित किया जाता है कि यदि किसी को इस जन्म तिथि के दर्ज करने वाले कोई एतराज हो तो वह असालतन या बकालतन दिनांक 6-8-2001 को हाजिर होकर पेश कर सकता है। अन्यथा सम्बन्धित कार्यालय को जन्म तिथि दर्ज करने के आदेश दे दिए जायेंगे।

मोहर ।

एस0 पी0 रोल्टा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

आज दिनांक 21-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर ।

प्रवीण कुमार टाक,
कार्यकारी दण्डाधिकारी, कसौली,
जिला सोलन (हि0प्र0)।

व अदालत श्री अरुण भारद्वाज, कार्यकारी दण्डाधिकारी, कण्डाघाट जिला सोलन, हिमाचल प्रदेश

श्री कादर बक्श सुपुत्र श्री गफूर, निवासी ग्राम मलाणा, तहसील कण्डाघाट, जिला सोलन, हिमाचल प्रदेश

व अदालत श्री नरेन्द्र शर्मा, उप-मण्डल दण्डाधिकारी (ना0), अम्ब जिला ऊना, हिमाचल प्रदेश

बनाम

श्री हरदीप सिंह राणा पुत्र श्री शेर सिंह, निवासी रामपुर मरवाड़ी, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

ग्राम जनता

प्रतिवादीगण ।

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वाले ।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

जैसा कि कादर बक्श सुपुत्र श्री गफूर, निवासी ग्राम मलाणा, तहसील कण्डाघाट, जिला सोलन (हि0प्र0) ने आवेदन किया है कि उसका जन्म दिनांक 8-5-1949 को हुआ है किन्तु ग्राम पंचायत अभिलेख में दर्ज न है। इस आवेदन की प्राप्ति पर प्रकरण जिला रजिस्ट्रार एवं मुख्य चिकित्सा अधिकारी, सोलन को रिपोर्ट हेतु भेजा गया। चिकित्सा अधिकारी, सोलन ने प्रार्थी की जांच के उपरान्त उसकी आयु 53 वर्ष बताई है। अतः मुख्य चिकित्सा अधिकारी की रिपोर्ट के आधार पर प्रार्थी की आयु का निर्धारण 8-5-1948 किया जाता है।

श्री हरदीप सिंह राणा पुत्र श्री शेर सिंह, निवासी रामपुर मरवाड़ी, ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के का नाम गोरव राणा पुत्र श्री हरदीप सिंह राणा का जन्म दिनांक 30-7-1990 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत मरवाड़ी के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक 31-7-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन या बकालतन हाजिर आकर अपना एतराज प्रस्तुत करे बाद गुजरने मियाद एतराज की समाप्त न होगी तथा कादर बक्श सुपुत्र श्री गफूर, निवासी ग्राम मलाणा, तहसील कण्डाघाट की जन्म तिथि 8-5-1948 के पंजीकरण सम्बन्धित आदेश सम्बन्धित पंचायत के रजिस्ट्रार जन्म एवं मृत्यु को दर्ज करने वाले पारित कर दिये जायेंगे।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर ।

नरेन्द्र शर्मा,
उप-मण्डल दण्डाधिकारी,
अम्ब, जिला ऊना, हिमाचल प्रदेश।

मोहर ।

अरुण भारद्वाज,
कार्यकारी दण्डाधिकारी, कण्डाघाट,
जिला सोलन, हिमाचल प्रदेश।

व अदालत श्री प्रवीण कुमार टाक, कार्यकारी दण्डाधिकारी, कसौली जिला सोलन, हिमाचल प्रदेश

व अदालत श्री नरेन्द्र शर्मा, उप-मण्डल दण्डाधिकारी (ना0), अम्ब जिला ऊना, हिमाचल प्रदेश

मुकद्दमा :

श्री श्याम सिंह सुपुत्र श्री गोकुल सिंह, निवासी एम0 ई0 एस0 कलौनी, कसौली

श्रीमती मोना देवी पत्नी श्री राकेश कुमार, निवासी लोहारली, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

ग्राम जनता

बनाम

प्रत्यार्थी ।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण

श्रीमती मीनादेवी पत्नी श्री राकेश कुमार, निवासी लोहारली ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के का नाम अनुश ठाकुर पुत्र श्री राकेश कुमार का जन्म दिनांक 21-11-1996 को हुआ था परन्तु अज्ञाततावश वह उसकी जन्म तिथि ग्राम पंचायत लोहारली के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक 31-7-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन या बकालतन हाजिर आकर अपना एतराज दर्ज करा सकता है। निर्धारित अवधि के पश्चात् कोई आपति प्राप्त न होने की सूत्र में प्रार्थना-पत्र श्रीमती मीना देवी पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेन्द्र शर्मा,
उप-मण्डल दण्डाधिकारी (ना०),
अम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री नरेन्द्र शर्मा, उप-मण्डल दण्डाधिकारी (ना०), अम्ब तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश

श्री सुरेन्द्र कुमार पुत्र श्री प्रकाश चन्द, निवासी सुरी, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

श्री सुरेन्द्र कुमार पुत्र श्री प्रकाश चन्द, निवासी सुरी ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के का नाम अरुण कुमार पुत्र सुरेन्द्र कुमार का जन्म दिनांक 9-5-1998 को हुआ था परन्तु अज्ञाततावश वह उसकी जन्म तिथि ग्राम पंचायत सुरी के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक 31-7-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन या बकालतन हाजिर आकर अपना एतराज दर्ज करा सकता है। निर्धारित अवधि के पश्चात् कोई आपति प्राप्त न होने की सूत्र में प्रार्थना-पत्र श्री सुरेन्द्र कुमार पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेन्द्र शर्मा,
उप-मण्डल दण्डाधिकारी (ना०),
अम्ब, तहसील अम्ब, जिला ऊना,
हिमाचल प्रदेश।

व अदालत श्री नरेन्द्र शर्मा, उप-मण्डल दण्डाधिकारी (ना०), अम्ब तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश

श्रीमती पुनम रानी पत्नी श्री बिमल कुमार, निवासी मरवाड़ी, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती पुनम कुमारी पत्नी श्री बिमल कुमार, निवासी मरवाड़ी ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके पुत्र रजत कुमार पुत्र श्री बिमल कुमार का जन्म दिनांक 22-10-1996 को हुआ था परन्तु अज्ञाततावश वह उसकी जन्म तिथि ग्राम पंचायत मरवाड़ी के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक 31-7-2001 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन या बकालतन हाजिर आकर अपना एतराज दर्ज करा सकता है। निर्धारित अवधि के पश्चात् कोई आपति प्राप्त न होने की सूत्र में प्रार्थना-पत्र श्रीमती पुनम रानी पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेन्द्र शर्मा,
उप-मण्डल दण्डाधिकारी (ना०),
अम्ब, तहसील अम्ब, जिला ऊना,
हिमाचल प्रदेश।

व अदालत श्री नरेन्द्र शर्मा, उप-मण्डल दण्डाधिकारी (ना०), अम्ब तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश

श्री सन्देश कुमार पुत्र श्री दुर्गा दास, निवासी गगरेट, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

आम जनता

नोटिस बनाम आम जनता।

श्री सन्देश कुमार पुत्र श्री दुर्गा दास, निवासी गगरेट, तहसील अम्ब, जिला ऊना (हि० प्र०) ने इस कार्यालय में एक दरखास्त गुजारी है कि उसके पुत्र का नाम नगर पंचायत रिकार्ड में ऋषभ धोमान लिखा गया है जो कि गलत है जबकि उसका नाम ऋषभ धोमान की जगह केशव धोमान दर्ज किया जावे।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को श्री सन्देश कुमार के पुत्र के नाम दस्ती बारे कोई एतराज हो तो वह दिनांक 31-7-2001 को असालतन या बकालतन हाजिर आकर अपना एतराज पेश कर सकता है न आने की सूत्र में एकतरफा कार्यवाही अम्ब में लाई जाकर नाम दस्ती बारे आदेश जारी कर दिए जाएंगे।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेन्द्र शर्मा,
उप-मण्डल दण्डाधिकारी (ना०), अम्ब,
तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत नाथन-तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना तहसील व जिला ऊना (हि० प्र०)

मुकद्दमा: मृत्यु तिथि प्रमाण-पत्र।

बह्मा नन्द

बनाम

आम जनता खड्ड

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री ब्रह्मा नन्द पुत्र श्री मंगल राम, निवासी गांव खड्ड, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त गुजारी है कि उसकी पुत्री तारा देवी पत्नी जोगिन्द्र पाल की मृत्यु किसी कारणवश ग्राम पंचायत रजिस्टर में दर्ज न करवाई जा सकी है जोकि अब दर्ज करवाई जाये। प्रार्थी ने मृतक की मृत्यु तिथि 7-7-1985 बताई है तथा नाम मृत्यु स्थान खड्ड बताया है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उक्त मृतक की मृत्यु तिथि दर्ज करवाने बारे कोई आपत्ति एवं उजर हो तो वह दिनांक 3-8-2001 को प्रातः दस बजे असालतन या बकालतन हाजिर अदालत आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रार्थी द्वारा बताई गई मृत्यु तिथि दर्ज करने के निर्देश जारी कर दिये जाएंगे तथा बाद में कोई भी उजर कावले समाप्त न होगा।

आज दिनांक 27-6-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित/-
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश।

व अदालत नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना
तहसील व जिला ऊना, हिमाचल प्रदेश

मुकद्मा : जन्म तिथि प्रमाण-पत्र।

भजन दास बनाम आम जनता नंगल सलांगड़ी
दरखास्त जेर धारा 13(3) जन्म व मृत्यु पंजीकरण अधि-
नियम, 1969.

नोटिस बनाम आम जनता।

श्री भजन दास पुत्र श्री धनी राम, निवासी गांव नंगल सलांगड़ी, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसके पुत्र सुरज कुमार कटनोरिया का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जाये। उसके पुत्र की जन्म तिथि 25-6-1995 है तथा बच्चे का जन्म स्थान गांव नंगल सलांगड़ी है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 3-8-2001 को प्रातः दस बजे स्वयं अथवा असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के निर्देश दे दिये जाएंगे।

आज दिनांक 4-7-2001 को हस्ताक्षर हमारे व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित/-
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, तहसील व जिला ऊना (हि० प्र०)।

व अदालत नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना
तहसील व जिला ऊना (हि० प्र०)

मुकद्मा : जन्म तिथि प्रमाण-पत्र।

भजन दास बनाम आम जनता नंगल सलांगड़ी

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधि-
नियम, 1969.

नोटिस बनाम आम जनता।

श्री भजन दास पुत्र श्री धनी राम, निवासी गांव नंगल सलांगड़ी, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त गुजारी है कि उसकी पुत्री सिमरन कौर का नाम व जन्म पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जाये। इसकी पुत्री की जन्म तिथि 22-6-1996 है तथा बच्चे का जन्म गांव नंगल सलांगड़ी में हुआ है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम व जन्म तिथि दर्ज होने में कोई उजर/एतराज हो तो वह दिनांक 4-8-2001 को प्रातः 10.00 बजे स्वयं अथवा असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के निर्देश दे दिये जाएंगे।

आज दिनांक 4-7-2001 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित/-
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, तहसील व जिला ऊना (हि० प्र०)।

व अदालत श्री एस० के० पराशर, तहसीलदार एवं कार्यकारी दण्डाधिकारी
ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश

मुकद्मा : जन्म तिथि प्रमाण-पत्र।

मूल राज बनाम आम जनता जलगां।

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री मूल राज पुत्र श्री देस राज, निवासी गांव जलगां तहसील व जिला ऊना, हिमाचल प्रदेश ने इस न्यायालय में एक दरखास्त गुजारी है कि उसकी पुत्री कुमारी शिल्पा का नाम व जन्म पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जाये। उसकी पुत्री की जन्म तिथि 20-6-1996 है तथा बच्ची का जन्म स्थान गांव जलगां है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम व जन्म तिथि दर्ज होने में कोई उजर या एतराज हो तो वह इस नोटिस के प्रकाशन होने के पश्चात् एक माह के अन्दर-अन्दर असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के निर्देश सम्बन्धित कार्यालय को दे दिये जाएंगे।

आज दिनांक 23-6-2001 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। एस० के० पराशर,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश।

व अदालत नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना
तहसील व जिला ऊना, हिमाचल प्रदेश

मुकद्मा :—जन्म तिथि प्रमाण-पत्र।

जोगिन्द्र सिंह बनाम आम जनता ससोंट।

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधि-
नियम, 1969.

नोटिस बनाम आम जनता।

श्री जोगिन्द्र सिंह पुत्र श्री प्रकाश चन्द, निवासी गांव सोबीट, हाकभर, तहसील, तहसील व जिला ऊना ने इस प्रयाचना में दखलाने की है कि उसके पुत्र रमेश चन्द का नाम पंचायत राजिएटर में गलती से दर्ज न किया जा गया है और वह दर्ज किया जाये। इसकी पुष्टि की जायगी कि 22-12-1995 है तथा अपने का जन्म रमाय गांव सोबीट है।

अतः इस नोटिस के माध्यम से सगरत जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उक्त नाम दर्ज करने के बारे में कोई उज्जर/आपत्ति हो तो वह दिनांक 1-8-2001 को प्रातः दस बजे तक या भरावत या चणवलत इस अदालत में हाजिर भाग्य पेश करें अन्यथा अन्तर्गत कार्यवाही अदालत में साई जाकर प्रमाण-पत्र जारी करने के निर्देश जारी कर दिया जाये।

आज दिनांक 4-7-2001 को हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।
हस्ताक्षरित/-
नायक-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश।

व अदालत कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू
हिमाचल प्रदेश

व मुख्या :
श्री तुलसी राम पुत्र रामू राम
नाम

आम जनता
प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री तुलसी राम पुत्र रामू राम, गांव बंफाटी तुनन, तहसील निरमण्ड, जिला कुल्लू ने इस अदालत में गुजारिश की है कि उसके पुत्र दीपक राम का जन्म दिनांक 25-1-1981 को हुआ है जिसका नाम पंचायत अधिलेख में दर्ज न है अथ दर्ज किया जाये।

अतः इस नोटिस द्वारा आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि अगर इस बारे में किसी को कोई एतराज हो तो वह दिनांक 31-7-2001 को इस अदालत में हाजिर भागे अन्यथा सम्बन्धित आम पंचायत को जन्म तिथि दर्ज करने के आदेश जारी कर दिए जायेंगे।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर।
हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि.0 प्र.0)

व अदालत कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू
हिमाचल प्रदेश

व मुख्या :
श्री रवीन्द्र मुन्शी पुत्र डी.0 बी.0 छारी
नाम

आम जनता
प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण

अधिनियम, 1969.

भाग 6 भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

पुनः

भाग 7 भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

पुनः

अनुपूरक

पुनः

नियन्त्रक, मुद्रण तथा लघु सागरी, हिमाचल प्रदेश, शिमला-5 द्वारा मद्रित तथा प्रकाशित

नोटिस बनाम आम जनता।

श्री रवीन्द्र मुन्शी पुत्र डी.0 बी.0 छारी, हाव निवासी जगतपुरा काटी बाबबा, तहसील निरमण्ड, जिला कुल्लू ने इस अदालत में गुजारिश की है कि उसके पुत्र दिनेश छारी का जन्म दिनांक 30-3-1994 तथा एशिया मुन्शी का जन्म दिनांक 20-1-1996, ज्योती छारी का जन्म दिनांक 10-10-1999, लक्ष्मी छारी का जन्म दिनांक 12-3-2001 को हुआ है जिनका नाम पंचायत अधिलेख में दर्ज न है अथ दर्ज किया जाये।

अतः इस नोटिस द्वारा आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि अगर इस बारे में किसी को कोई उज्जर या एतराज हो तो वह दिनांक 31-7-2001 को इस अदालत में हाजिर भागे अन्यथा सम्बन्धित आम पंचायत को जन्म तिथि दर्ज करने के आदेश जारी कर दिए जायेंगे।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर।
हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि.0 प्र.0)

व अदालत कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू
हिमाचल प्रदेश

व मुख्या :

श्री शशी राम पुत्र टेक बहादुर
नाम

आम जनता
प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण

अधिनियम, 1969।

नोटिस बनाम आम जनता।

श्री शशी राम पुत्र श्री टेक बहादुर, निवासी गांव व काटी बाबबा, तहसील निरमण्ड, जिला कुल्लू ने इस अदालत में गुजारिश की है कि उसके पुत्र हुकम बहादुर का जन्म दिनांक 13-4-1995 तथा एली कुमारी का जन्म दिनांक 11-11-1999 को हुआ है। जिनका इन्द्राज पंचायत अधिलेख में दर्ज न है अथ दर्ज किया जाये।

अतः इस नोटिस द्वारा आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि अगर इस बारे में किसी को कोई उज्जर या एतराज हो तो वह दिनांक 31-7-2001 को इस अदालत में हाजिर भागे अन्यथा सम्बन्धित आम पंचायत को जन्म तिथि दर्ज करने का आदेश जारी कर दिया जायेगा।

आज दिनांक 27-6-2001 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर।
हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि.0 प्र.0)

व अदालत कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू